

**Executive Summary – Enforcement Matter – Case No. 48200**  
**The Dow Chemical Company**  
**RN100225945**  
**Docket No. 2014-0158-PWS-E**

**Order Type:**

Findings Agreed Order

**Findings Order Justification:**

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violation(s).

**Media:**

PWS

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

Dow Texas Operations Freeport, 2301 North Brazosport Boulevard, Freeport, Brazoria County

**Type of Operation:**

Public water supply

**Other Significant Matters:**

Additional Pending Enforcement Actions: Yes, Docket Nos. 2013-0736-AIR-E and 2013-2215-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** June 6, 2014

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$174

**Amount Deferred for Expedited Settlement:** \$0

**Amount Deferred for Financial Inability to Pay:** \$0

**Total Paid to General Revenue:** \$174

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**SEP Conditional Offset:** \$0

Name of SEP: N/A

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** No

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** September 2011

**Executive Summary – Enforcement Matter – Case No. 48200**  
**The Dow Chemical Company**  
**RN100225945**  
**Docket No. 2014-0158-PWS-E**

***Investigation Information***

**Complaint Date(s):** N/A  
**Complaint Information:** N/A  
**Date(s) of Investigation:** December 16, 2013  
**Date(s) of NOE(s):** January 17, 2014

***Violation Information***

Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter for total trihalomethanes ("TTHM"), based on the running annual average [30 TEX. ADMIN. CODE § 290.113(f)(4) and TEX. HEALTH & SAFETY CODE § 341.0315(c)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

On October 1, 2013, the Respondent transitioned from Stage 1 Disinfectant Byproduct monitoring to Stage 2 Disinfectant Byproduct monitoring.

**Technical Requirements:**

The Order will require the Respondent to:

- a. Within 365 days:
  - i. Return to compliance with the running annual average MCL for TTHM; or
  - ii. Return to compliance with the locational running annual average MCL for TTHM.
- b. Within 380 days, submit written certification to demonstrate compliance with Ordering Provision a.i. or a.ii.

***Litigation Information***

**Date Petition(s) Filed:** N/A  
**Date Answer(s) Filed:** N/A  
**SOAH Referral Date:** N/A  
**Hearing Date(s):** N/A  
**Settlement Date:** N/A

**Executive Summary – Enforcement Matter – Case No. 48200**  
**The Dow Chemical Company**  
**RN100225945**  
**Docket No. 2014-0158-PWS-E**

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Rachel Bekowies, Enforcement Division,  
Enforcement Team 4, MC 149, (512) 239-2608; Candy Garrett, Enforcement Division,  
MC 219, (512) 239-1456

**TCEQ SEP Coordinator:** N/A

**Respondent:** Fran Quinlan Falcon, Environmental Leveraged Delivery Leader, The  
Dow Chemical Company, 2301 North Brazosport Boulevard, B-3501, Freeport, Texas  
77541-3203

Mark Kuettel, Director of Operations, The Dow Chemical Company, 2301 North  
Brazosport Boulevard, B-3501, Freeport, Texas 77541-3203

**Respondent's Attorney:** N/A





# Penalty Calculation Worksheet (PCW)

Policy Revision 3 (September 2011)

PCW Revision August 3, 2011

**TCEQ**

<b>DATES</b>	<b>Assigned</b>	21-Jan-2014	<b>Screening</b>	29-Jan-2014	<b>EPA Due</b>	31-Dec-2013
	<b>PCW</b>	29-Jan-2014				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	The Dow Chemical Company				
<b>Reg. Ent. Ref. No.</b>	RN100225945				
<b>Facility/Site Region</b>	12-Houston	<b>Major/Minor Source</b>	Minor		

## CASE INFORMATION

<b>Enf./Case ID No.</b>	48200	<b>No. of Violations</b>	1
<b>Docket No.</b>	2014-0158-PWS-E	<b>Order Type</b>	Findings
<b>Media Program(s)</b>	Public Water Supply	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Rachel Bekowies
		<b>EC's Team</b>	Enforcement Team 4
<b>Admin. Penalty \$ Limit Minimum</b>	\$50	<b>Maximum</b>	\$1,000

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** **Subtotal 1** **\$150**

## ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

**Compliance History** **16.0%** Enhancement **Subtotals 2, 3, & 7** **\$24**

Notes: Enhancement for three NOV's with the same violation, 25 NOV's with dissimilar violations, 11 orders with a denial of liability, and eight orders without a denial of liability. Reduction for 289 Notices of Intent to conduct an audit and 90 Disclosures of Violations.

**Culpability** **No** **0.0%** Enhancement **Subtotal 4** **\$0**

Notes: The Respondent does not meet the culpability criteria.

**Good Faith Effort to Comply Total Adjustments** **Subtotal 5** **\$0**

**Economic Benefit** **0.0%** Enhancement\* **Subtotal 6** **\$0**

Total EB Amounts \$875  
Approx. Cost of Compliance \$5,000  
\*Capped at the Total EB \$ Amount

**SUM OF SUBTOTALS 1-7** **Final Subtotal** **\$174**

**OTHER FACTORS AS JUSTICE MAY REQUIRE** **0.0%** **Adjustment** **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

**Final Penalty Amount** **\$174**

**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty** **\$174**

**DEFERRAL** **0.0%** Reduction **Adjustment** **\$0**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral is recommended for Findings Orders.

**PAYABLE PENALTY** **\$174**

Screening Date 29-Jan-2014

Docket No. 2014-0158-PWS-E

PCW

Respondent The Dow Chemical Company

Policy Revision 3 (September 2011)

Case ID No. 48200

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100225945

Media [Statute] Public Water Supply

Enf. Coordinator Rachel Bekowies

## Compliance History Worksheet

## &gt;&gt; Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	3	15%
	Other written NOVs	25	50%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	11	220%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	8	200%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgements or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	289	-289%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	90	-180%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 16%

## &gt;&gt; Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

## Compliance History Notes

Enhancement for three NOVs with the same violation, 25 NOVs with dissimilar violations, 11 orders with a denial of liability, and eight orders without a denial of liability. Reduction for 289 Notices of Intent to conduct an audit and 90 Disclosures of Violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, &amp; 7) 16%

## &gt;&gt; Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100% 16%

Screening Date 29-Jan-2014

Docket No. 2014-0158-PWS-E

PCW

Respondent The Dow Chemical Company

Policy Revision 3 (September 2011)

Case ID No. 48200

PCW Revision August 3, 2011

Reg. Ent. Reference No. RN100225945

Media [Statute] Public Water Supply

Enf. Coordinator Rachel Bekowies

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 290.113(f)(4) and Tex. Health &amp; Safety Code § 341.0315(c)

## Violation Description

Failed to comply with the maximum contaminant level ("MCL") of 0.080 milligrams per liter ("mg/L") for total trihalomethanes ("TTHM"), based on the running annual average. Specifically, the running annual average concentrations of TTHM for the first, second, and third quarters of 2013 were 0.081 mg/L, 0.092 mg/L, and 0.088 mg/L, respectively.

Base Penalty \$1,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Major	Moderate	Minor
Actual		X	
Potential			

Percent 15.0%

## &gt;&gt; Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Exceeding the MCL for TTHM caused persons served by the Facility to be exposed to significant amounts of contaminants which do not exceed levels that are protective of human health.

Adjustment \$850

\$150

## Violation Events

Number of Violation Events 1

272 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	X
single event	

Violation Base Penalty \$150

One annual event is recommended.

## Good Faith Efforts to Comply

0.0% Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$150

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$875

Violation Final Penalty Total \$174

This violation Final Assessed Penalty (adjusted for limits) \$174

# Economic Benefit Worksheet

**Respondent** The Dow Chemical Company  
**Case ID No.** 48200  
**Reg. Ent. Reference No.** RN100225945  
**Media** Public Water Supply  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$5,000	31-Mar-2013	30-Sep-2015	2.50	\$42	\$834	\$875
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount necessary to implement an alternative method of disinfection, calculated from the last day of the first quarter of noncompliance to the estimated date of compliance.

## Avoided Costs

### ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

**TOTAL**

\$875



The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



# Compliance History Report

**PUBLISHED** Compliance History Report for CN600356976, RN100225945, Rating Year 2013 which includes Compliance History (CH) components from September 1, 2008, through August 31, 2013.

**Customer, Respondent, or Owner/Operator:** CN600356976, The Dow Chemical Company

**Classification:** SATISFACTORY

**Rating:** 2.26

**Regulated Entity:** RN100225945, DOW TEXAS OPERATIONS FREEPORT

**Classification:** SATISFACTORY

**Rating:** 6.99

**Complexity Points:** 112

**Repeat Violator:** NO

**CH Group:** 05 - Chemical Manufacturing

**Location:** 2301 NORTH BRAZOSPORT BOULEVARD FREEPORT, TEXAS 77541-3203, BRAZORIA COUNTY

**TCEQ Region:** REGION 12 - HOUSTON

## ID Number(s):

**AIR OPERATING PERMITS** ACCOUNT NUMBER BL0082R

**AIR OPERATING PERMITS** PERMIT 2202

**AIR OPERATING PERMITS** PERMIT 2204

**AIR OPERATING PERMITS** PERMIT 2207

**AIR OPERATING PERMITS** PERMIT 2209

**AIR OPERATING PERMITS** PERMIT 2211

**AIR OPERATING PERMITS** PERMIT 2213

**AIR OPERATING PERMITS** PERMIT 2215

**AIR OPERATING PERMITS** PERMIT 2217

**AIR OPERATING PERMITS** PERMIT 2219

**AIR OPERATING PERMITS** PERMIT 2221

**AIR OPERATING PERMITS** PERMIT 2313

**AIR OPERATING PERMITS** PERMIT 3005

**INDUSTRIAL AND HAZARDOUS WASTE** EPA ID

TXD008092793

**INDUSTRIAL AND HAZARDOUS WASTE** PERMIT 50161

**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION

0200530

**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION

0200232

**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION

0200027

**WASTEWATER** EPA ID TX0006483

**AIR NEW SOURCE PERMITS** PERMIT 941

**AIR NEW SOURCE PERMITS** PERMIT 3947

**AIR NEW SOURCE PERMITS** REGISTRATION 12173

**AIR NEW SOURCE PERMITS** PERMIT 20195

**AIR NEW SOURCE PERMITS** PERMIT 20432

**AIR NEW SOURCE PERMITS** PERMIT 20687

**AIR NEW SOURCE PERMITS** PERMIT 20776

**AIR NEW SOURCE PERMITS** PERMIT 20909

**AIR NEW SOURCE PERMITS** PERMIT 22071

**AIR NEW SOURCE PERMITS** PERMIT 22743

**AIR NEW SOURCE PERMITS** REGISTRATION 22853

**AIR NEW SOURCE PERMITS** REGISTRATION 22810

**AIR NEW SOURCE PERMITS** REGISTRATION 22862

**AIR NEW SOURCE PERMITS** REGISTRATION 23075

**AIR NEW SOURCE PERMITS** REGISTRATION 23519

**AIR NEW SOURCE PERMITS** REGISTRATION 23388

**AIR NEW SOURCE PERMITS** REGISTRATION 24053

**AIR NEW SOURCE PERMITS** REGISTRATION 24030

**AIR OPERATING PERMITS** PERMIT 1388

**AIR OPERATING PERMITS** PERMIT 2203

**AIR OPERATING PERMITS** PERMIT 2206

**AIR OPERATING PERMITS** PERMIT 2208

**AIR OPERATING PERMITS** PERMIT 2210

**AIR OPERATING PERMITS** PERMIT 2212

**AIR OPERATING PERMITS** PERMIT 2214

**AIR OPERATING PERMITS** PERMIT 2216

**AIR OPERATING PERMITS** PERMIT 2218

**AIR OPERATING PERMITS** PERMIT 2220

**AIR OPERATING PERMITS** PERMIT 2311

**AIR OPERATING PERMITS** PERMIT 2697

**INDUSTRIAL AND HAZARDOUS WASTE** EPA ID

TXD000803270

**INDUSTRIAL AND HAZARDOUS WASTE** SOLID WASTE

REGISTRATION # (SWR) 30106

**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION

0200535

**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION

0200531

**PUBLIC WATER SYSTEM/SUPPLY** REGISTRATION

0200534

**WASTEWATER** PERMIT WQ0000007000

**WASTEWATER** EPA ID TX0006484

**AIR NEW SOURCE PERMITS** PERMIT 3941

**AIR NEW SOURCE PERMITS** REGISTRATION 11832

**AIR NEW SOURCE PERMITS** PERMIT 19041

**AIR NEW SOURCE PERMITS** PERMIT 20285

**AIR NEW SOURCE PERMITS** PERMIT 20525

**AIR NEW SOURCE PERMITS** PERMIT 20775

**AIR NEW SOURCE PERMITS** PERMIT 20777

**AIR NEW SOURCE PERMITS** PERMIT 22070

**AIR NEW SOURCE PERMITS** PERMIT 22072

**AIR NEW SOURCE PERMITS** REGISTRATION 22759

**AIR NEW SOURCE PERMITS** REGISTRATION 22809

**AIR NEW SOURCE PERMITS** REGISTRATION 22851

**AIR NEW SOURCE PERMITS** REGISTRATION 22945

**AIR NEW SOURCE PERMITS** REGISTRATION 23076

**AIR NEW SOURCE PERMITS** REGISTRATION 23387

**AIR NEW SOURCE PERMITS** REGISTRATION 23389

**AIR NEW SOURCE PERMITS** REGISTRATION 24101

**AIR NEW SOURCE PERMITS** PERMIT 26692

AIR NEW SOURCE PERMITS REGISTRATION 25702  
AIR NEW SOURCE PERMITS REGISTRATION 25124  
AIR NEW SOURCE PERMITS PERMIT 28363  
AIR NEW SOURCE PERMITS REGISTRATION 30018  
AIR NEW SOURCE PERMITS REGISTRATION 30503  
AIR NEW SOURCE PERMITS REGISTRATION 31992  
AIR NEW SOURCE PERMITS REGISTRATION 33328  
AIR NEW SOURCE PERMITS REGISTRATION 33593  
AIR NEW SOURCE PERMITS REGISTRATION 34111  
AIR NEW SOURCE PERMITS REGISTRATION 34368  
AIR NEW SOURCE PERMITS REGISTRATION 34541  
AIR NEW SOURCE PERMITS REGISTRATION 35012  
AIR NEW SOURCE PERMITS REGISTRATION 35203  
AIR NEW SOURCE PERMITS REGISTRATION 35413  
AIR NEW SOURCE PERMITS REGISTRATION 36002  
AIR NEW SOURCE PERMITS REGISTRATION 25205  
AIR NEW SOURCE PERMITS REGISTRATION 36523  
AIR NEW SOURCE PERMITS REGISTRATION 36634  
AIR NEW SOURCE PERMITS REGISTRATION 37122  
AIR NEW SOURCE PERMITS REGISTRATION 37667  
AIR NEW SOURCE PERMITS PERMIT 4020  
AIR NEW SOURCE PERMITS PERMIT 4031  
AIR NEW SOURCE PERMITS PERMIT 4310A  
AIR NEW SOURCE PERMITS PERMIT 5520  
AIR NEW SOURCE PERMITS PERMIT 6803  
AIR NEW SOURCE PERMITS PERMIT 7341  
AIR NEW SOURCE PERMITS REGISTRATION 7423  
AIR NEW SOURCE PERMITS PERMIT 7593  
AIR NEW SOURCE PERMITS PERMIT 8047  
AIR NEW SOURCE PERMITS PERMIT 9044  
AIR NEW SOURCE PERMITS REGISTRATION 10690  
AIR NEW SOURCE PERMITS REGISTRATION 10791  
AIR NEW SOURCE PERMITS REGISTRATION 11076  
AIR NEW SOURCE PERMITS REGISTRATION 11567  
AIR NEW SOURCE PERMITS REGISTRATION 12128  
AIR NEW SOURCE PERMITS REGISTRATION 12145  
AIR NEW SOURCE PERMITS REGISTRATION 12432  
AIR NEW SOURCE PERMITS REGISTRATION 12484  
AIR NEW SOURCE PERMITS REGISTRATION 13194  
AIR NEW SOURCE PERMITS REGISTRATION 15811  
AIR NEW SOURCE PERMITS REGISTRATION 16473  
AIR NEW SOURCE PERMITS REGISTRATION 13920  
AIR NEW SOURCE PERMITS PERMIT 20996  
AIR NEW SOURCE PERMITS PERMIT 18561  
AIR NEW SOURCE PERMITS REGISTRATION 37618  
AIR NEW SOURCE PERMITS REGISTRATION 38156  
AIR NEW SOURCE PERMITS REGISTRATION 38759  
AIR NEW SOURCE PERMITS REGISTRATION 39450  
AIR NEW SOURCE PERMITS REGISTRATION 40430  
AIR NEW SOURCE PERMITS REGISTRATION 41163  
AIR NEW SOURCE PERMITS REGISTRATION 41179  
AIR NEW SOURCE PERMITS REGISTRATION 41302  
AIR NEW SOURCE PERMITS REGISTRATION 41555  
AIR NEW SOURCE PERMITS REGISTRATION 42611  
AIR NEW SOURCE PERMITS REGISTRATION 42384  
AIR NEW SOURCE PERMITS REGISTRATION 43382  
AIR NEW SOURCE PERMITS REGISTRATION 42443  
AIR NEW SOURCE PERMITS REGISTRATION 43959  
AIR NEW SOURCE PERMITS REGISTRATION 44002  
AIR NEW SOURCE PERMITS REGISTRATION 44036

AIR NEW SOURCE PERMITS REGISTRATION 26035  
AIR NEW SOURCE PERMITS REGISTRATION 25536  
AIR NEW SOURCE PERMITS REGISTRATION 28220  
AIR NEW SOURCE PERMITS REGISTRATION 30622  
AIR NEW SOURCE PERMITS REGISTRATION 31753  
AIR NEW SOURCE PERMITS REGISTRATION 32546  
AIR NEW SOURCE PERMITS REGISTRATION 33609  
AIR NEW SOURCE PERMITS REGISTRATION 33885  
AIR NEW SOURCE PERMITS REGISTRATION 34116  
AIR NEW SOURCE PERMITS REGISTRATION 34545  
AIR NEW SOURCE PERMITS PERMIT 35022  
AIR NEW SOURCE PERMITS REGISTRATION 35204  
AIR NEW SOURCE PERMITS REGISTRATION 35364  
AIR NEW SOURCE PERMITS REGISTRATION 35658  
AIR NEW SOURCE PERMITS REGISTRATION 36397  
AIR NEW SOURCE PERMITS REGISTRATION 36554  
AIR NEW SOURCE PERMITS REGISTRATION 36569  
AIR NEW SOURCE PERMITS REGISTRATION 37000  
AIR NEW SOURCE PERMITS REGISTRATION 37569  
AIR NEW SOURCE PERMITS REGISTRATION 71888  
AIR NEW SOURCE PERMITS PERMIT 4021  
AIR NEW SOURCE PERMITS PERMIT 4085  
AIR NEW SOURCE PERMITS PERMIT 5339  
AIR NEW SOURCE PERMITS PERMIT 5661  
AIR NEW SOURCE PERMITS PERMIT 7131  
AIR NEW SOURCE PERMITS PERMIT 7387  
AIR NEW SOURCE PERMITS PERMIT 7531  
AIR NEW SOURCE PERMITS PERMIT 8009  
AIR NEW SOURCE PERMITS PERMIT 8567  
AIR NEW SOURCE PERMITS REGISTRATION 10423  
AIR NEW SOURCE PERMITS REGISTRATION 10790  
AIR NEW SOURCE PERMITS REGISTRATION 10959  
AIR NEW SOURCE PERMITS REGISTRATION 11566  
AIR NEW SOURCE PERMITS REGISTRATION 11644  
AIR NEW SOURCE PERMITS REGISTRATION 12130  
AIR NEW SOURCE PERMITS REGISTRATION 12166  
AIR NEW SOURCE PERMITS REGISTRATION 12445  
AIR NEW SOURCE PERMITS REGISTRATION 12520  
AIR NEW SOURCE PERMITS REGISTRATION 13873  
AIR NEW SOURCE PERMITS REGISTRATION 16249  
AIR NEW SOURCE PERMITS PERMIT 7009  
AIR NEW SOURCE PERMITS REGISTRATION 14329  
AIR NEW SOURCE PERMITS PERMIT 20997  
AIR NEW SOURCE PERMITS PERMIT 18950  
AIR NEW SOURCE PERMITS REGISTRATION 38157  
AIR NEW SOURCE PERMITS REGISTRATION 38861  
AIR NEW SOURCE PERMITS REGISTRATION 39609  
AIR NEW SOURCE PERMITS REGISTRATION 40479  
AIR NEW SOURCE PERMITS REGISTRATION 40854  
AIR NEW SOURCE PERMITS REGISTRATION 41108  
AIR NEW SOURCE PERMITS REGISTRATION 41304  
AIR NEW SOURCE PERMITS REGISTRATION 41542  
AIR NEW SOURCE PERMITS REGISTRATION 42190  
AIR NEW SOURCE PERMITS REGISTRATION 42464  
AIR NEW SOURCE PERMITS REGISTRATION 42923  
AIR NEW SOURCE PERMITS REGISTRATION 43381  
AIR NEW SOURCE PERMITS REGISTRATION 43813  
AIR NEW SOURCE PERMITS REGISTRATION 43960  
AIR NEW SOURCE PERMITS REGISTRATION 44001  
AIR NEW SOURCE PERMITS REGISTRATION 44056

AIR NEW SOURCE PERMITS REGISTRATION 44118  
AIR NEW SOURCE PERMITS REGISTRATION 44464  
AIR NEW SOURCE PERMITS REGISTRATION 44608  
AIR NEW SOURCE PERMITS REGISTRATION 44718  
AIR NEW SOURCE PERMITS REGISTRATION 44834  
AIR NEW SOURCE PERMITS REGISTRATION 45152  
AIR NEW SOURCE PERMITS REGISTRATION 46009  
AIR NEW SOURCE PERMITS REGISTRATION 46173  
AIR NEW SOURCE PERMITS REGISTRATION 46378  
AIR NEW SOURCE PERMITS PERMIT 46428  
AIR NEW SOURCE PERMITS REGISTRATION 46481  
AIR NEW SOURCE PERMITS REGISTRATION 46658  
AIR NEW SOURCE PERMITS REGISTRATION 46767  
AIR NEW SOURCE PERMITS REGISTRATION 46911  
AIR NEW SOURCE PERMITS REGISTRATION 47095  
AIR NEW SOURCE PERMITS REGISTRATION 47114  
AIR NEW SOURCE PERMITS REGISTRATION 47347  
AIR NEW SOURCE PERMITS REGISTRATION 47564  
AIR NEW SOURCE PERMITS REGISTRATION 48027  
AIR NEW SOURCE PERMITS REGISTRATION 48337  
AIR NEW SOURCE PERMITS PERMIT 48715  
AIR NEW SOURCE PERMITS PERMIT 48479  
AIR NEW SOURCE PERMITS REGISTRATION 49235  
AIR NEW SOURCE PERMITS REGISTRATION 47314  
AIR NEW SOURCE PERMITS PERMIT 3301  
AIR NEW SOURCE PERMITS REGISTRATION 13682  
AIR NEW SOURCE PERMITS REGISTRATION 1430  
AIR NEW SOURCE PERMITS PERMIT 1496C  
AIR NEW SOURCE PERMITS REGISTRATION 49965  
AIR NEW SOURCE PERMITS REGISTRATION 72132  
AIR NEW SOURCE PERMITS PERMIT 5746  
AIR NEW SOURCE PERMITS PERMIT 6383  
AIR NEW SOURCE PERMITS PERMIT 6932  
AIR NEW SOURCE PERMITS REGISTRATION 7094  
AIR NEW SOURCE PERMITS REGISTRATION 7447  
AIR NEW SOURCE PERMITS REGISTRATION 10469  
AIR NEW SOURCE PERMITS REGISTRATION 10613  
AIR NEW SOURCE PERMITS REGISTRATION 10677  
AIR NEW SOURCE PERMITS REGISTRATION 10731  
AIR NEW SOURCE PERMITS REGISTRATION 10792  
AIR NEW SOURCE PERMITS REGISTRATION 10845  
AIR NEW SOURCE PERMITS REGISTRATION 11092  
AIR NEW SOURCE PERMITS REGISTRATION 11691A  
AIR NEW SOURCE PERMITS REGISTRATION 11919  
AIR NEW SOURCE PERMITS REGISTRATION 12008  
AIR NEW SOURCE PERMITS REGISTRATION 12051  
AIR NEW SOURCE PERMITS REGISTRATION 12265  
AIR NEW SOURCE PERMITS REGISTRATION 13104  
AIR NEW SOURCE PERMITS REGISTRATION 13950  
AIR NEW SOURCE PERMITS REGISTRATION 15386  
AIR NEW SOURCE PERMITS REGISTRATION 12340  
AIR NEW SOURCE PERMITS PERMIT 18145  
AIR NEW SOURCE PERMITS PERMIT 19792  
AIR NEW SOURCE PERMITS PERMIT 1258  
AIR NEW SOURCE PERMITS REGISTRATION 1558  
AIR NEW SOURCE PERMITS PERMIT 1655  
AIR NEW SOURCE PERMITS REGISTRATION 1715  
AIR NEW SOURCE PERMITS PERMIT 2367  
AIR NEW SOURCE PERMITS PERMIT 2728  
AIR NEW SOURCE PERMITS PERMIT 3302

AIR NEW SOURCE PERMITS REGISTRATION 44411  
AIR NEW SOURCE PERMITS REGISTRATION 44465  
AIR NEW SOURCE PERMITS REGISTRATION 44622  
AIR NEW SOURCE PERMITS REGISTRATION 44719  
AIR NEW SOURCE PERMITS REGISTRATION 45097  
AIR NEW SOURCE PERMITS REGISTRATION 45449  
AIR NEW SOURCE PERMITS REGISTRATION 46174  
AIR NEW SOURCE PERMITS PERMIT 46306  
AIR NEW SOURCE PERMITS PERMIT 46429  
AIR NEW SOURCE PERMITS PERMIT 46431  
AIR NEW SOURCE PERMITS REGISTRATION 46568  
AIR NEW SOURCE PERMITS REGISTRATION 46682  
AIR NEW SOURCE PERMITS REGISTRATION 46798  
AIR NEW SOURCE PERMITS REGISTRATION 46987  
AIR NEW SOURCE PERMITS REGISTRATION 47203  
AIR NEW SOURCE PERMITS REGISTRATION 47374  
AIR NEW SOURCE PERMITS REGISTRATION 47352  
AIR NEW SOURCE PERMITS REGISTRATION 47970  
AIR NEW SOURCE PERMITS REGISTRATION 48343  
AIR NEW SOURCE PERMITS REGISTRATION 48414  
AIR NEW SOURCE PERMITS PERMIT 48478  
AIR NEW SOURCE PERMITS REGISTRATION 49187  
AIR NEW SOURCE PERMITS REGISTRATION 49253  
AIR NEW SOURCE PERMITS REGISTRATION 37957  
AIR NEW SOURCE PERMITS PERMIT 834  
AIR NEW SOURCE PERMITS PERMIT 313  
AIR NEW SOURCE PERMITS PERMIT 1496B  
AIR NEW SOURCE PERMITS REGISTRATION 49715  
AIR NEW SOURCE PERMITS REGISTRATION 50298  
AIR NEW SOURCE PERMITS PERMIT 5340  
AIR NEW SOURCE PERMITS PERMIT 6069A  
AIR NEW SOURCE PERMITS PERMIT 6744  
AIR NEW SOURCE PERMITS PERMIT 7093  
AIR NEW SOURCE PERMITS PERMIT 7385  
AIR NEW SOURCE PERMITS PERMIT 7942  
AIR NEW SOURCE PERMITS REGISTRATION 10534  
AIR NEW SOURCE PERMITS REGISTRATION 10674  
AIR NEW SOURCE PERMITS REGISTRATION 10689  
AIR NEW SOURCE PERMITS REGISTRATION 10766  
AIR NEW SOURCE PERMITS REGISTRATION 10794  
AIR NEW SOURCE PERMITS REGISTRATION 10955  
AIR NEW SOURCE PERMITS REGISTRATION 11691  
AIR NEW SOURCE PERMITS REGISTRATION 11745  
AIR NEW SOURCE PERMITS REGISTRATION 12007  
AIR NEW SOURCE PERMITS REGISTRATION 12045  
AIR NEW SOURCE PERMITS REGISTRATION 12104  
AIR NEW SOURCE PERMITS REGISTRATION 12613  
AIR NEW SOURCE PERMITS REGISTRATION 13132  
AIR NEW SOURCE PERMITS REGISTRATION 14935  
AIR NEW SOURCE PERMITS PERMIT 4022  
AIR NEW SOURCE PERMITS PERMIT 6911  
AIR NEW SOURCE PERMITS PERMIT 19720  
AIR NEW SOURCE PERMITS PERMIT 770  
AIR NEW SOURCE PERMITS PERMIT 1472  
AIR NEW SOURCE PERMITS REGISTRATION 1559  
AIR NEW SOURCE PERMITS PERMIT 1658  
AIR NEW SOURCE PERMITS PERMIT 2008A  
AIR NEW SOURCE PERMITS PERMIT 2606  
AIR NEW SOURCE PERMITS PERMIT 2772  
AIR NEW SOURCE PERMITS PERMIT 3347

AIR NEW SOURCE PERMITS PERMIT 3914  
AIR NEW SOURCE PERMITS REGISTRATION 52724  
AIR NEW SOURCE PERMITS REGISTRATION 52999  
AIR NEW SOURCE PERMITS REGISTRATION 53895  
AIR NEW SOURCE PERMITS REGISTRATION 55032  
AIR NEW SOURCE PERMITS PERMIT 83795  
AIR NEW SOURCE PERMITS REGISTRATION 55537  
AIR NEW SOURCE PERMITS REGISTRATION 76012  
AIR NEW SOURCE PERMITS PERMIT 75751  
AIR NEW SOURCE PERMITS REGISTRATION 76138  
AIR NEW SOURCE PERMITS REGISTRATION 75513  
AIR NEW SOURCE PERMITS REGISTRATION 56851  
AIR NEW SOURCE PERMITS REGISTRATION 70195  
AIR NEW SOURCE PERMITS REGISTRATION 70458  
AIR NEW SOURCE PERMITS REGISTRATION 70945  
AIR NEW SOURCE PERMITS REGISTRATION 71039  
AIR NEW SOURCE PERMITS ACCOUNT NUMBER BL0082R  
AIR NEW SOURCE PERMITS REGISTRATION 71209  
AIR NEW SOURCE PERMITS REGISTRATION 71584  
AIR NEW SOURCE PERMITS REGISTRATION 71088  
AIR NEW SOURCE PERMITS REGISTRATION 71090  
AIR NEW SOURCE PERMITS REGISTRATION 54140  
AIR NEW SOURCE PERMITS REGISTRATION 50646  
AIR NEW SOURCE PERMITS REGISTRATION 52179  
AIR NEW SOURCE PERMITS REGISTRATION 52201  
AIR NEW SOURCE PERMITS REGISTRATION 50488  
AIR NEW SOURCE PERMITS REGISTRATION 53897  
AIR NEW SOURCE PERMITS REGISTRATION 71936  
AIR NEW SOURCE PERMITS REGISTRATION 72671  
AIR NEW SOURCE PERMITS REGISTRATION 72663  
AIR NEW SOURCE PERMITS REGISTRATION 72794  
AIR NEW SOURCE PERMITS PERMIT 3434  
AIR NEW SOURCE PERMITS REGISTRATION 73732  
AIR NEW SOURCE PERMITS REGISTRATION 74748  
AIR NEW SOURCE PERMITS REGISTRATION 75090  
AIR NEW SOURCE PERMITS REGISTRATION 74940  
AIR NEW SOURCE PERMITS REGISTRATION 74853  
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX994M1  
AIR NEW SOURCE PERMITS REGISTRATION 76506  
AIR NEW SOURCE PERMITS REGISTRATION 76763  
AIR NEW SOURCE PERMITS REGISTRATION 77669  
AIR NEW SOURCE PERMITS REGISTRATION 77287  
AIR NEW SOURCE PERMITS REGISTRATION 77765  
AIR NEW SOURCE PERMITS REGISTRATION 77426  
AIR NEW SOURCE PERMITS REGISTRATION 77339  
AIR NEW SOURCE PERMITS REGISTRATION 77521  
AIR NEW SOURCE PERMITS REGISTRATION 77171  
AIR NEW SOURCE PERMITS REGISTRATION 78257  
AIR NEW SOURCE PERMITS REGISTRATION 78285  
AIR NEW SOURCE PERMITS REGISTRATION 78471  
AIR NEW SOURCE PERMITS REGISTRATION 78680  
AIR NEW SOURCE PERMITS REGISTRATION 78331  
AIR NEW SOURCE PERMITS REGISTRATION 79383  
AIR NEW SOURCE PERMITS REGISTRATION 79130  
AIR NEW SOURCE PERMITS REGISTRATION 78439  
AIR NEW SOURCE PERMITS REGISTRATION 79806  
AIR NEW SOURCE PERMITS REGISTRATION 80372  
AIR NEW SOURCE PERMITS REGISTRATION 81207  
AIR NEW SOURCE PERMITS REGISTRATION 81271  
AIR NEW SOURCE PERMITS REGISTRATION 81301

AIR NEW SOURCE PERMITS REGISTRATION 52152  
AIR NEW SOURCE PERMITS REGISTRATION 52200  
AIR NEW SOURCE PERMITS REGISTRATION 52998  
AIR NEW SOURCE PERMITS REGISTRATION 54200  
AIR NEW SOURCE PERMITS REGISTRATION 55411  
AIR NEW SOURCE PERMITS PERMIT 83838  
AIR NEW SOURCE PERMITS REGISTRATION 75817  
AIR NEW SOURCE PERMITS REGISTRATION 75579  
AIR NEW SOURCE PERMITS REGISTRATION 76295  
AIR NEW SOURCE PERMITS REGISTRATION 76039  
AIR NEW SOURCE PERMITS REGISTRATION 56833  
AIR NEW SOURCE PERMITS REGISTRATION 70194  
AIR NEW SOURCE PERMITS PERMIT 48892  
AIR NEW SOURCE PERMITS REGISTRATION 70940  
AIR NEW SOURCE PERMITS REGISTRATION 70776  
AIR NEW SOURCE PERMITS REGISTRATION 71062  
AIR NEW SOURCE PERMITS REGISTRATION 70592  
AIR NEW SOURCE PERMITS EPA PERMIT N59  
AIR NEW SOURCE PERMITS REGISTRATION 71087  
AIR NEW SOURCE PERMITS REGISTRATION 71089  
AIR NEW SOURCE PERMITS REGISTRATION 71091  
AIR NEW SOURCE PERMITS REGISTRATION 53905  
AIR NEW SOURCE PERMITS REGISTRATION 52153  
AIR NEW SOURCE PERMITS REGISTRATION 53903  
AIR NEW SOURCE PERMITS REGISTRATION 53954  
AIR NEW SOURCE PERMITS REGISTRATION 52884  
AIR NEW SOURCE PERMITS REGISTRATION 54042  
AIR NEW SOURCE PERMITS REGISTRATION 50576  
AIR NEW SOURCE PERMITS REGISTRATION 53736  
AIR NEW SOURCE PERMITS REGISTRATION 72884  
AIR NEW SOURCE PERMITS REGISTRATION 72798  
AIR NEW SOURCE PERMITS REGISTRATION 74059  
AIR NEW SOURCE PERMITS REGISTRATION 73781  
AIR NEW SOURCE PERMITS REGISTRATION 74597  
AIR NEW SOURCE PERMITS REGISTRATION 74350  
AIR NEW SOURCE PERMITS REGISTRATION 75239  
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX994  
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX986M1  
AIR NEW SOURCE PERMITS REGISTRATION 76504  
AIR NEW SOURCE PERMITS REGISTRATION 76536  
AIR NEW SOURCE PERMITS REGISTRATION 77405  
AIR NEW SOURCE PERMITS REGISTRATION 76873  
AIR NEW SOURCE PERMITS REGISTRATION 77211  
AIR NEW SOURCE PERMITS REGISTRATION 77143  
AIR NEW SOURCE PERMITS REGISTRATION 77522  
AIR NEW SOURCE PERMITS REGISTRATION 76863  
AIR NEW SOURCE PERMITS REGISTRATION 78008  
AIR NEW SOURCE PERMITS REGISTRATION 78248  
AIR NEW SOURCE PERMITS REGISTRATION 78286  
AIR NEW SOURCE PERMITS REGISTRATION 78570  
AIR NEW SOURCE PERMITS REGISTRATION 78668  
AIR NEW SOURCE PERMITS REGISTRATION 79348  
AIR NEW SOURCE PERMITS REGISTRATION 79131  
AIR NEW SOURCE PERMITS REGISTRATION 79202  
AIR NEW SOURCE PERMITS REGISTRATION 79920  
AIR NEW SOURCE PERMITS REGISTRATION 80380  
AIR NEW SOURCE PERMITS REGISTRATION 80624  
AIR NEW SOURCE PERMITS REGISTRATION 81302  
AIR NEW SOURCE PERMITS REGISTRATION 81267  
AIR NEW SOURCE PERMITS REGISTRATION 82007

AIR NEW SOURCE PERMITS REGISTRATION 50904  
AIR NEW SOURCE PERMITS REGISTRATION 51074  
AIR NEW SOURCE PERMITS REGISTRATION 51426  
AIR NEW SOURCE PERMITS REGISTRATION 81882  
AIR NEW SOURCE PERMITS REGISTRATION 81724  
AIR NEW SOURCE PERMITS REGISTRATION 37290  
AIR NEW SOURCE PERMITS REGISTRATION 82279  
AIR NEW SOURCE PERMITS REGISTRATION 82190  
AIR NEW SOURCE PERMITS PERMIT 83789  
AIR NEW SOURCE PERMITS REGISTRATION 82636  
AIR NEW SOURCE PERMITS PERMIT 83841  
AIR NEW SOURCE PERMITS REGISTRATION 82587  
AIR NEW SOURCE PERMITS REGISTRATION 84491  
AIR NEW SOURCE PERMITS REGISTRATION 86160  
AIR NEW SOURCE PERMITS REGISTRATION 83031  
AIR NEW SOURCE PERMITS PERMIT 83839  
AIR NEW SOURCE PERMITS PERMIT 83788  
AIR NEW SOURCE PERMITS PERMIT 83846  
AIR NEW SOURCE PERMITS REGISTRATION 91171  
AIR NEW SOURCE PERMITS REGISTRATION 88488  
AIR NEW SOURCE PERMITS REGISTRATION 86879  
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX986  
AIR NEW SOURCE PERMITS REGISTRATION 88522  
AIR NEW SOURCE PERMITS REGISTRATION 92220  
AIR NEW SOURCE PERMITS REGISTRATION 89544  
AIR NEW SOURCE PERMITS REGISTRATION 92616  
AIR NEW SOURCE PERMITS REGISTRATION 92662  
AIR NEW SOURCE PERMITS REGISTRATION 92434  
AIR NEW SOURCE PERMITS REGISTRATION 92334  
AIR NEW SOURCE PERMITS REGISTRATION 94060  
AIR NEW SOURCE PERMITS REGISTRATION 93765  
AIR NEW SOURCE PERMITS PERMIT 93978  
AIR NEW SOURCE PERMITS PERMIT 94403  
AIR NEW SOURCE PERMITS REGISTRATION 94925  
AIR NEW SOURCE PERMITS REGISTRATION 96527  
AIR NEW SOURCE PERMITS PERMIT 95868  
AIR NEW SOURCE PERMITS REGISTRATION 97239  
AIR NEW SOURCE PERMITS REGISTRATION 96184  
AIR NEW SOURCE PERMITS REGISTRATION 98569  
AIR NEW SOURCE PERMITS REGISTRATION 100674  
AIR NEW SOURCE PERMITS PERMIT 98806  
AIR NEW SOURCE PERMITS REGISTRATION 101330  
AIR NEW SOURCE PERMITS REGISTRATION 98110  
AIR NEW SOURCE PERMITS REGISTRATION 101302  
AIR NEW SOURCE PERMITS REGISTRATION 100322  
AIR NEW SOURCE PERMITS REGISTRATION 97243  
AIR NEW SOURCE PERMITS REGISTRATION 98793  
AIR NEW SOURCE PERMITS REGISTRATION 97210  
AIR NEW SOURCE PERMITS REGISTRATION 103262  
AIR NEW SOURCE PERMITS REGISTRATION 101933  
AIR NEW SOURCE PERMITS REGISTRATION 103540  
AIR NEW SOURCE PERMITS REGISTRATION 104045  
AIR NEW SOURCE PERMITS REGISTRATION 102308  
AIR NEW SOURCE PERMITS REGISTRATION 103272  
AIR NEW SOURCE PERMITS PERMIT 104152  
AIR NEW SOURCE PERMITS REGISTRATION 103326  
AIR NEW SOURCE PERMITS REGISTRATION 103514  
AIR NEW SOURCE PERMITS REGISTRATION 102459  
AIR NEW SOURCE PERMITS REGISTRATION 102307  
AIR NEW SOURCE PERMITS PERMIT 104144

AIR NEW SOURCE PERMITS REGISTRATION 50941  
AIR NEW SOURCE PERMITS REGISTRATION 51354  
AIR NEW SOURCE PERMITS REGISTRATION 51547  
AIR NEW SOURCE PERMITS REGISTRATION 81988  
AIR NEW SOURCE PERMITS REGISTRATION 82027  
AIR NEW SOURCE PERMITS REGISTRATION 82393  
AIR NEW SOURCE PERMITS REGISTRATION 83726  
AIR NEW SOURCE PERMITS REGISTRATION 84455  
AIR NEW SOURCE PERMITS REGISTRATION 83992  
AIR NEW SOURCE PERMITS REGISTRATION 84964  
AIR NEW SOURCE PERMITS PERMIT 83699  
AIR NEW SOURCE PERMITS REGISTRATION 85034  
AIR NEW SOURCE PERMITS REGISTRATION 82774  
AIR NEW SOURCE PERMITS REGISTRATION 83304  
AIR NEW SOURCE PERMITS PERMIT 83698  
AIR NEW SOURCE PERMITS PERMIT 83804  
AIR NEW SOURCE PERMITS PERMIT 83792  
AIR NEW SOURCE PERMITS REGISTRATION 83678  
AIR NEW SOURCE PERMITS REGISTRATION 91437  
AIR NEW SOURCE PERMITS REGISTRATION 91422  
AIR NEW SOURCE PERMITS REGISTRATION 85864  
AIR NEW SOURCE PERMITS REGISTRATION 87696  
AIR NEW SOURCE PERMITS REGISTRATION 90540  
AIR NEW SOURCE PERMITS REGISTRATION 87548  
AIR NEW SOURCE PERMITS REGISTRATION 91883  
AIR NEW SOURCE PERMITS REGISTRATION 92392  
AIR NEW SOURCE PERMITS REGISTRATION 92613  
AIR NEW SOURCE PERMITS REGISTRATION 92020  
AIR NEW SOURCE PERMITS REGISTRATION 93604  
AIR NEW SOURCE PERMITS REGISTRATION 93734  
AIR NEW SOURCE PERMITS REGISTRATION 93671  
AIR NEW SOURCE PERMITS REGISTRATION 94028  
AIR NEW SOURCE PERMITS REGISTRATION 95068  
AIR NEW SOURCE PERMITS REGISTRATION 95656  
AIR NEW SOURCE PERMITS REGISTRATION 96504  
AIR NEW SOURCE PERMITS REGISTRATION 95672  
AIR NEW SOURCE PERMITS REGISTRATION 98634  
AIR NEW SOURCE PERMITS REGISTRATION 96507  
AIR NEW SOURCE PERMITS REGISTRATION 96887  
AIR NEW SOURCE PERMITS REGISTRATION 100915  
AIR NEW SOURCE PERMITS REGISTRATION 97087  
AIR NEW SOURCE PERMITS REGISTRATION 98789  
AIR NEW SOURCE PERMITS REGISTRATION 98680  
AIR NEW SOURCE PERMITS REGISTRATION 98805  
AIR NEW SOURCE PERMITS PERMIT 100787  
AIR NEW SOURCE PERMITS REGISTRATION 98440  
AIR NEW SOURCE PERMITS REGISTRATION 98434  
AIR NEW SOURCE PERMITS REGISTRATION 103259  
AIR NEW SOURCE PERMITS REGISTRATION 103281  
AIR NEW SOURCE PERMITS REGISTRATION 103271  
AIR NEW SOURCE PERMITS REGISTRATION 103258  
AIR NEW SOURCE PERMITS REGISTRATION 103270  
AIR NEW SOURCE PERMITS REGISTRATION 103280  
AIR NEW SOURCE PERMITS PERMIT 104092  
AIR NEW SOURCE PERMITS REGISTRATION 102072  
AIR NEW SOURCE PERMITS REGISTRATION 104724  
AIR NEW SOURCE PERMITS REGISTRATION 103999  
AIR NEW SOURCE PERMITS REGISTRATION 103275  
AIR NEW SOURCE PERMITS REGISTRATION 104727  
AIR NEW SOURCE PERMITS PERMIT 104094

AIR NEW SOURCE PERMITS REGISTRATION 103332  
AIR NEW SOURCE PERMITS REGISTRATION 102457  
AIR NEW SOURCE PERMITS REGISTRATION 102364  
AIR NEW SOURCE PERMITS REGISTRATION 105570  
AIR NEW SOURCE PERMITS REGISTRATION 106311  
AIR NEW SOURCE PERMITS REGISTRATION 107037  
AIR NEW SOURCE PERMITS REGISTRATION 110351  
AIR NEW SOURCE PERMITS REGISTRATION 107954  
AIR NEW SOURCE PERMITS REGISTRATION 108295  
AIR NEW SOURCE PERMITS REGISTRATION 105864  
AIR NEW SOURCE PERMITS REGISTRATION 105879  
AIR NEW SOURCE PERMITS REGISTRATION 105874  
AIR NEW SOURCE PERMITS REGISTRATION 108931  
AIR NEW SOURCE PERMITS PERMIT 114991  
AIR NEW SOURCE PERMITS REGISTRATION 112920  
AIR NEW SOURCE PERMITS REGISTRATION 105203  
AIR NEW SOURCE PERMITS REGISTRATION 106612  
AIR NEW SOURCE PERMITS REGISTRATION 115231  
AIR NEW SOURCE PERMITS REGISTRATION 105877  
AIR NEW SOURCE PERMITS REGISTRATION 106512  
AIR NEW SOURCE PERMITS REGISTRATION 107169  
AIR NEW SOURCE PERMITS REGISTRATION 108345  
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1328  
AIR NEW SOURCE PERMITS REGISTRATION 108969  
AIR NEW SOURCE PERMITS REGISTRATION 106147  
AIR NEW SOURCE PERMITS REGISTRATION 117006  
AIR NEW SOURCE PERMITS REGISTRATION 111875  
AIR NEW SOURCE PERMITS REGISTRATION 115030  
AIR NEW SOURCE PERMITS REGISTRATION 107036  
AIR NEW SOURCE PERMITS REGISTRATION 116011  
AIR NEW SOURCE PERMITS REGISTRATION 107975  
AIR NEW SOURCE PERMITS REGISTRATION 107849  
AIR NEW SOURCE PERMITS PERMIT 112341  
AIR NEW SOURCE PERMITS REGISTRATION 105870  
AIR NEW SOURCE PERMITS REGISTRATION 112030  
AIR NEW SOURCE PERMITS REGISTRATION 116812  
AIR NEW SOURCE PERMITS REGISTRATION 105880  
AIR NEW SOURCE PERMITS REGISTRATION 107132  
AIR NEW SOURCE PERMITS REGISTRATION 110676  
AIR NEW SOURCE PERMITS REGISTRATION 115279  
AIR NEW SOURCE PERMITS REGISTRATION 107010  
AIR NEW SOURCE PERMITS REGISTRATION 105878  
IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION  
# (SWR) 30106  
STORMWATER PERMIT TXR15XS41  
STORMWATER PERMIT TXR15YE79  
STORMWATER PERMIT TXR15XB44  
STORMWATER PERMIT TXR15VF26  
POLLUTION PREVENTION PLANNING ID NUMBER  
P00182

**Compliance History Period:** September 01, 2008 to August 31, 2013

**Date Compliance History Report Prepared:** January 29, 2014

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** January 29, 2009 to January 29, 2014

**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.**

**Name:** Rachel Bekowies

AIR NEW SOURCE PERMITS REGISTRATION 103328  
AIR NEW SOURCE PERMITS PERMIT 104098  
AIR NEW SOURCE PERMITS REGISTRATION 109820  
AIR NEW SOURCE PERMITS REGISTRATION 105872  
AIR NEW SOURCE PERMITS REGISTRATION 112928  
AIR NEW SOURCE PERMITS REGISTRATION 109043  
AIR NEW SOURCE PERMITS REGISTRATION 107397  
AIR NEW SOURCE PERMITS REGISTRATION 113594  
AIR NEW SOURCE PERMITS REGISTRATION 107142  
AIR NEW SOURCE PERMITS REGISTRATION 105876  
AIR NEW SOURCE PERMITS REGISTRATION 105885  
AIR NEW SOURCE PERMITS REGISTRATION 113247  
AIR NEW SOURCE PERMITS REGISTRATION 112408  
AIR NEW SOURCE PERMITS REGISTRATION 109182  
AIR NEW SOURCE PERMITS REGISTRATION 112613  
AIR NEW SOURCE PERMITS REGISTRATION 105871  
AIR NEW SOURCE PERMITS REGISTRATION 115993  
AIR NEW SOURCE PERMITS REGISTRATION 108730  
AIR NEW SOURCE PERMITS REGISTRATION 106687  
AIR NEW SOURCE PERMITS REGISTRATION 110553  
AIR NEW SOURCE PERMITS REGISTRATION 109891  
AIR NEW SOURCE PERMITS REGISTRATION 106691  
AIR NEW SOURCE PERMITS REGISTRATION 105972  
AIR NEW SOURCE PERMITS REGISTRATION 106065  
AIR NEW SOURCE PERMITS REGISTRATION 111978  
AIR NEW SOURCE PERMITS REGISTRATION 106558  
AIR NEW SOURCE PERMITS REGISTRATION 115831  
AIR NEW SOURCE PERMITS REGISTRATION 108567  
AIR NEW SOURCE PERMITS EPA PERMIT PSDTX1314  
AIR NEW SOURCE PERMITS REGISTRATION 110071  
AIR NEW SOURCE PERMITS REGISTRATION 106326  
AIR NEW SOURCE PERMITS REGISTRATION 110074  
AIR NEW SOURCE PERMITS REGISTRATION 106758  
AIR NEW SOURCE PERMITS REGISTRATION 113374  
AIR NEW SOURCE PERMITS REGISTRATION 106609  
AIR NEW SOURCE PERMITS REGISTRATION 109797  
AIR NEW SOURCE PERMITS REGISTRATION 110551  
AIR NEW SOURCE PERMITS PERMIT 107153  
AIR NEW SOURCE PERMITS REGISTRATION 109512  
AIR NEW SOURCE PERMITS REGISTRATION 115916  
AIR NEW SOURCE PERMITS REGISTRATION 109104  
AIR NEW SOURCE PERMITS AFS NUM 4803900041  
STORMWATER PERMIT TXR15UP11  
  
STORMWATER PERMIT TXR15YE80  
STORMWATER PERMIT TXR15YE78  
STORMWATER PERMIT TXR15XB45  
AIR EMISSIONS INVENTORY ACCOUNT NUMBER BL0082R

**Phone:** (512) 239-2608

## **Site and Owner/Operator History:**

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If **YES** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If **YES**, when did the change(s) in owner or operator occur? N/A

## **Components (Multimedia) for the Site Are Listed in Sections A - J**

### **A. Final Orders, court judgments, and consent decrees:**

- 1      Effective Date: 02/08/2009      ADMINORDER 2007-1981-AIR-E      (Findings Order-Agreed Order Without Denial)
- Classification: Moderate
- Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THC Chapter 382, SubChapter D 382.085(b)
- Rqmt Prov:TCEQ Flex Air Permit No. 20432, SC C III PERMIT
- Description: Failed to prevent unauthorized emissions.
- Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)
- Rqmt Prov:TCEQ Air Permit No. 834, SC 1 PERMIT
- Description: Failed to prevent unauthorized emissions.
- Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)
- Rqmt Prov:TCEQ Air Permit No. 6932, SC1 PERMIT
- Description: Failed to prevent unauthorized emissions.
- 2      Effective Date: 06/01/2009      ADMINORDER 2008-0843-AIR-E      (Findings Order-Agreed Order Without Denial)
- Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter G 116.715(b)  
5C THC Chapter 382, SubChapter D 382.085(b)
- Rqmt Prov:Flexible Air Permit 20432, SC Chap III-1 PERMIT
- Description: As evidenced by Findings of Fact No. 3, the Respondent failed to prevent unauthorized emissions during Incident No. 92204, in violation of Air Permit No. 20432/PSD-TX-994M1, Special Condition No. III-1, 30 TEX. ADMIN. CODE § 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable and excessive the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
- Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)
- Rqmt Prov:TCEQ Air Permit No. 46431, SC 1 PERMIT
- Description: As evidenced by Findings of Fact No. 7, the Respondent failed to prevent unauthorized emissions during Incident No. 92991, in violation of Air Permit No. 46431, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable and excessive the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
- Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)
- Rqmt Prov:Special Condition No. 1 PERMIT
- Description: As evidenced by Findings of Fact No. 4, the Respondent failed to prevent unauthorized emissions during Incident No. 103332, in violation of Air Permit No. 7386, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.
- Classification: Moderate
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)
- Rqmt Prov:Special Condition 1 PERMIT
- Description: As evidenced by Findings of Fact No. 5, the Respondent failed to prevent unauthorized emissions during Incident No. 103745, in violation of Air Permit No. 46431, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c),



and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for

an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition Chapter III-1 PERMIT

Description: As evidenced by Findings of Fact No. 6, the Respondent failed to prevent unauthorized emissions during Incident No. 104544, in violation of Air Permit No. 20432/PSD-TX-994M1, Special Condition No. III-1, 30 TEX. ADMIN. CODE § 116.715(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition 1 PERMIT

Description: As evidenced by Findings of Fact No. 8, the Respondent failed to prevent unauthorized emissions during Incident No. 105191, in violation of Air Permit No. 834, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter F 101.221(a)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition 1 PERMIT

Special Condition 10 PERMIT  
Special Condition 4B PERMIT

Description: As evidenced by Findings of Fact No. 10, the Respondent failed to prevent unauthorized emissions and maintain a flare flame during Incident No. 105644, in violation of Air Permit No. 8567, Special Condition Nos. 1, 4B, and 10, 40 CODE OF FEDERAL REGULATIONS § 60.18(c)(2) and (c)(3)(ii), 30 TEX. ADMIN. CODE §§ 116.115(c), 101.20(1), and 101.221(a), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition No. 1 PERMIT

Description: As evidenced by Findings of Fact No. 9, the Respondent failed to prevent unauthorized emissions during Incident No. 105792, in violation of Air Permit No. 20909, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition No. 1 PERMIT

Description: As evidenced by Findings of Fact No. 11, the Respondent failed to prevent unauthorized emissions during Incident No. 106640, in violation of Air Permit No. 22072, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 were not met.

3

Effective Date: 07/09/2009 ADMINORDER 2007-0923-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:TCEQ FLEX AIR PERMIT #20432, III-1 PERMIT

Description: Failed to comply with permitted emissions limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov:TCEQ Flexible Air Permit 20432, SC III-1 PERMIT

Description: Failed to comply with permitted emissions limits.

Classification: Moderate



Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov:6803, Special Condition 1 PERMIT

Description: Failed to comply with permitted emissions limits. Specifically, on December 29, 2006, Dow conducted a stack test on the 511 Heater (EPN B27S511) located in the B-2700 block of the Plant B Site. Test results showed emissions of NOX at 5.70 lbs/hr, while permitted emissions are 3.73 lbs/hr.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov:TCEQ Air Permit No. 7531, SC 2 PERMIT

TCEQ Air Permit No. 7531, SC1 PERMIT

Description: Failed to comply with permitted emissions limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(d)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov:Air Flex Permit 20432, SC Gen Req 4 PERMIT

Air Flex Permit 20432, SC, Chap III-1 PERMIT

Description: Failed to comply with permitted emissions limits.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

5C THC Chapter 382, SubChapter D 382.085(b)

5C THSC Chapter 382 382.0518(a)

Description: Failure to cease unauthorized emissions. Specifically, during an emissions event on March 8, 2007, emergency vents in the Polyethylene 4 Unit, with no authorization to emit, emitted 802 lbs of ethylene and 700 lbs of carbon over a one minute period.

4

Effective Date: 08/31/2009 ADMINORDER 2008-1723-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 101, SubChapter F 101.221(a)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)

5C THSC Chapter 382 382.085(b)

Rqmt Prov:TCEQ Air Permit No. 834, SC 1 PERMIT

Description: Failed to prevent avoidable emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition Chapter III - 1 PERMIT

Description: the unauthorized release of 86 lbs of acetylene, 12,491 lbs of ethylene, 2,923 lbs of ethane, 12,226 lbs of propylene, 5,859 lbs of propane, 1,088 lbs of 1,3 butadiene, 91 lbs of cis 2-butene, 29,563 lbs of CO, 4,093 lbs of NOx, 81 lbs of isobutane, 235 lbs of n-butane, 352 lbs of trans 2-butene, 1,474 lbs of benzene, 2,337 lbs of toluene, 302 lbs of hexane, 452 lbs of isobutylene, 529 lbs of isopentane, 716 lbs of n-pentane and 331 lbs of 1-butene from Elevated Flare (F1) and Ground Flare.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

5C THSC Chapter 382 382.085(b)

Rqmt Prov:SC Ch III-1 PERMIT

Description: Dow failed to prevent an avoidable emissions event. As a result unauthorized emissions of, 1.00 lbs of benzene; 1.00 lbs of 1,3-butadiene; 1,064.00 lbs of ethylene; 770.00 lbs of carbon monoxide; 107.00 lbs of nitrogen oxides and 9.00 lbs of other chemicals were released to the atmosphere through Flare - FS1.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. Specifically, 751.90 lbs of ethylene oxide was released from the Wastewater Treatment Plant THROX (B35EWS200); 3.00 lbs of ethylene oxide was from the R-100 Reactor (EPN B35V100); and 3.00 lbs of ethylene oxide was released from the R-110 Reactor (EPN B35V110) to the atmosphere. Dow's permit did not authorize the release. Consequently, this represents a significant deviation from the permit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions. As a result, 1,244.00 lbs of ethylene was released from the Polyethylene 4 Reactor, Train 1, Program 3 Valve to the atmosphere. Dow's permit did not authorize the release from the Program 3 Valve. Consequently, this represents a significant deviation from the permit.

5 Effective Date: 11/27/2009 ADMINORDER 2008-1555-IHW-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(1)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(2)(ii)(A)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.104(b)(1)

Rqmt Prov:Permit Provision (PP) V-I-3-b and d PERMIT

Description: Failed to meet the regulatory limit for stack gas concentration of carbon monoxide ("CO") while burning hazardous waste in Boiler FTB-210 (Notice of Registration Unit 154), as documented an investigation conducted on July 29, 2008. Specifically, ten occurrences were documented during a period from March 30, 2008 through April 21, 2008, when the CO concentration exceeded 100 ppm associated with the automatic waste feed cutoff ("AWFCO") system.

Classification: Major

Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(a)

Rqmt Prov:Permit Provision (PP) V-I-3-b and d PERMIT

Description: Failed to maintain the minimum permitted liquid to gas ratio ("L/G") of the wet scrubbers, as documented during an investigation conducted on July 29, 2008. Specifically, records for Boiler FTB-603 indicated five excursions with respect to the permitted L/G minimum ratio for the scrubber system.

6 Effective Date: 04/11/2010 ADMINORDER 2009-1251-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition 1 PERMIT

Special Term and Condition 16 OP

Description: Failed to maintain an emission rate below the allowable limit for propylene from the Site Functions 1 Area. TCEQ staff documented the exceedance of the permitted propylene emission limit of 4.05 pounds per hour ("lbs/hr") from the Site Functions 1 Area on June 23-24, 2008 and July 13, 2008, totaling 42.74 lbs of propylene in excess of permitted limits.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1(a)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Term and Condition 16 OP

Special Term and Condition 1A OP

Description: Failed to conduct LDAR on 78 components in VOC service. TCEQ staff documented that quarterly Leak Detection and Repair ("LDAR") had not been conducted on 44 connectors and seven valves in Unit A22FUST from October 16, 2003 through March 31, 2008 and 27 valves in Unit A28FUST from February 5, 2007 through October 14, 2008.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition, Chapter III-1 PERMIT

Description: Failed to maintain an emission rate below the allowable limit for propylene from the Site Functions 1 Area. TCEQ staff documented the unauthorized release of 11,521 pounds ("lbs") of carbon monoxide, 1,595 lbs of nitrogen oxides, and 12,209 lbs of volatile organic compounds ("VOCs"), including 8,859 lbs of highly reactive VOCs, exceeded permit hourly limits due to the Light Hydrocarbons-8 failure to eliminate non-condensables from the Propylene Refrigeration System causing high pressure in the C

7 Effective Date: 10/25/2010 ADMINORDER 2010-0477-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)

Description: Dow failed to prevent unauthorized emissions during Incident No. 134215. Dow's operating discipline and unit freeze plan did not establish a minimum instrument air dewpoint for the system operating at freezing ambient temperatures.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition Chapter III-1 PERMIT

Description: Dow failed to prevent unauthorized emissions. A vendor's employee did not verify that the proper gas was unloaded from the truck, and did not verify that the correct carrier gas was connected. Dow's employee did not escort the vendor nor verify his work.

8 Effective Date: 03/07/2011 ADMINORDER 2010-1279-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition 1 PERMIT

Description: Dow failed to prevent unauthorized emissions during Incident No. 137259.

9 Effective Date: 05/08/2011 ADMINORDER 2010-1450-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)  
5C THSC Chapter 382 382.0518(a)  
5C THSC Chapter 382 382.085(b)

Description: Failed to submit an application for renewal prior to expiration of a permit and continued to operate the Plant without authorization after the permit expired. Specifically, the Respondent failed to renew Standard Permit No. 43417 before the permit expiration date of February 16, 2010, as documented during a record review investigation conducted on September 1, 2010.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)  
5C THSC Chapter 382 382.0518(a)  
5C THSC Chapter 382 382.085(b)

Description: Failed to submit an application for renewal prior to the expiration of a permit and continued to operate the Plant without authorization after the permit expired. Specifically, the Respondent failed to renew New Source Review ("NSR") Permit No. 9046 before the permit expiration date of July 21, 2010, as documented during a record review investigation conducted on September 1, 2010.

10 Effective Date: 05/22/2011 ADMINORDER 2010-1781-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov:Special Condition 1 PERMIT

Special Condition 4(B) PERMIT

Description: Dow failed to keep the emissions capture equipment and abatement equipment in operation when emissions were routed to it during Incident No. 141646.

11 Effective Date: 08/13/2011 ADMINORDER 2011-0051-AIR-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov:SC Chap III-1 PERMIT

Description: Failed to prevent unauthorized emissions during Incident No. 143416. Dow failed to maintain communications at the operator work stations during a startup. Dow also failed to maintain the operations of the ST-10 turbine during the startup.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov:SC Chapter III-1 PERMIT

Description: Failure to prevent unauthorized emissions during Incident No. 144990. Dow failed to prevent the flaring of

off-spec ethylene, when impure hydrogen was being supplied to the internal header system that supplies LHC-7.

- 12 Effective Date: 11/18/2011 ADMINORDER 2011-0581-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov:Special Condition #1 PERMIT  
Description: Failure to prevent unauthorized emissions due to obstruction of the filter screen on the oil supply to the oil driven Speed Governor Valve that regulates the compressor speed. Subcategory: A12(i)(6).
- 13 Effective Date: 06/08/2012 ADMINORDER 2011-1123-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(1)  
5C THSC Chapter 382 382.085(b)  
Description: Failed to incorporate Permit by Rule ("PBR") 30 Tex. Admin. Code § 106.263 in Federal Operating Permit ("FOP") No. O2217, as documented during an investigation conducted on April 14, 2011.  
Classification: Minor  
Citation: 30 TAC Chapter 106, SubChapter K 106.263(g)  
5C THSC Chapter 382 382.085(b)  
Description: Failed to maintain records to demonstrate compliance with PBR 30 Tex. Admin. Code § 106.263 for maintenance activities performed on Refrigeration Unit 7001 from June 7 through June 30, 2010, as documented during an investigation conducted on April 14, 2011.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov:FOP No. O2217, Spec Terms & Cond 16 OP  
SPECIAL CONDITION 1 PERMIT  
Description: Failed to comply with the annual allowable emissions rate (based on a rolling 12-month period), as documented during an investigation conducted on April 14, 2011. Specifically, in December 2009 and December 2010, the Respondent exceeded the carbon monoxide ("CO") 12-month rolling allowable emissions rate of 5.10 tons per year ("tpy") and exceeded the nitrogen oxides ("NOx") 12-month rolling allowable emissions rate of 1.68 tpy at the Marine Unloading Flare, EPN A35F1, resulting in the unauthori  
Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter A 101.10(b)(2)  
5C THSC Chapter 382 382.085(b)  
Description: Failed to submit an administratively complete emissions inventory for calendar year 2009, as documented during an investigation conducted on April 14, 2011. Specifically, the 2009 emissions inventory did not include emissions for three diesel engine pumps: Emissions Point Numbers ("EPN") A40S836A, A40S836B, and A40S836C.  
Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov:SPECIAL CONDITION 16 OP  
SPECIAL CONDITION 2 PERMIT  
Description: Failed to comply with the annual throughput rates for Tank Nos. TM-3 and T-4044, as documented during an investigation conducted on April 14, 2011. Specifically, the annual throughput for Tank No. TM-3 is limited to 53,129,080 pounds ("lbs"), and the tank throughput was 67,861,993 lbs in 2009 and 87,595,298 lbs in 2010. The annual throughput for Tank No. T-4044 is limited to 60,428,990 lbs, and the tank throughput was 121,947,551 lbs in 2009 and 114,817,995 lbs in 2010. In 2009, annual volati  
Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(1)  
5C THSC Chapter 382 382.085(b)  
Description: Failed to make an accurate representation regarding Tank No. A30CMST3 in the application for FOP No. O2217, as documented during an investigation conducted on April 14, 2011. Specifically, FOP No. O2217 representation indicates that Tank No. A30CMST3 is subject to 40 Code of Federal Regulations Part 60, Subpart Kb; however, the tank is not subject to this rule.
- 14 Effective Date: 08/02/2012 ADMINORDER 2011-2269-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov:Special Condition 1 PERMIT

ST&C 11 OP

Description: Failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 116.115(c) and 122.143(4), TEX. HEALTH & SAFETY CODE § 382.085(b), Permit No. 6803, Special Conditions No. 1, and Federal

Operating Permit No. 02215, Special Terms & Conditions No. 11, as documented during a record review conducted from September 29 through October 8, 2011. Specifically, the Respondent released 2,544 pounds of ethylene from the Polyethylene 3 unit during an avoidable emissions event (Incident No. 1

- 15 Effective Date: 09/29/2012 ADMINORDER 2012-0358-AIR-E (Findings Order-Agreed Order Without Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov:Special Condition 1 PERMIT  
Description: Failed to prevent unauthorized emissions during an event that occurred from September 9, 2011 through September 11, 2011 (Incident No. 159031). Specifically, the Respondent released 60,935 pounds ("lbs") of volatile organic compounds, which included 42,325 lbs of ethylene, 3,168 lbs of propylene, 2,334 lbs of 1,3-butadiene, and 8,166 lbs of toluene, 8,302 lbs of nitrogen oxides, and 59,055 lbs of carbon monoxide from Flare-FS1 (Emission Point No. B60F3) during the 42 hour event.
- 16 Effective Date: 12/15/2012 ADMINORDER 2012-0897-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov:Special Condition 1 PERMIT  
Special Terms & Conditions No. 11 OP  
Description: Failed to prevent unauthorized emissions.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov:Special Conditions No. III-1 PERMIT  
Special Terms & Conditions No. 19 OP  
Description: Failed to prevent unauthorized emissions.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov:Special Condition No. 1 PERMIT  
Special Terms & Conditions No. 11 OP  
Description: Failure to prevent unauthorized emissions during Incident No. 164161.
- 17 Effective Date: 06/03/2013 ADMINORDER 2012-1672-AIR-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov:Special Condition 1 PERMIT  
Special Terms & Conditions No. 21 OP  
Description: Failed to prevent unauthorized emissions during Incident No. 166761.  
Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov:Special Condition 1 PERMIT  
Special Terms & Conditions No. 16 OP  
Description: Failed to prevent unauthorized emissions during Incident No. 166822.  
Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)  
Rqmt Prov:Special Condition 1 PERMIT  
Special Terms & Conditions No. 21 OP  
Description: Failed to prevent unauthorized emissions during Incident No. 167157.

Classification: Minor  
Description: Failed to prevent unauthorized emissions during Incident No. 167157.  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(G)  
30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Description: Failed to comply with the reporting requirements during Incident No. 167157.

Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov:Special Condition No. 1 PERMIT  
Special Terms & Conditions No. 11 OP  
Description: Failed to prevent unauthorized emissions during Incident No. 167526.

Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov:Special Condition No.1 PA  
Special Terms & Conditions No. 11 OP  
Description: Failure to prevent unauthorized emissions during Incident No. 169152.

- 18 Effective Date: 08/03/2013 ADMINORDER 2012-2015-IHW-E (1660 Order-Agreed Order With Denial)  
Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)  
Rqmt Prov:PROVISION V.I.7.d. PERMIT  
Description: Failure to perform operational testing on the automatic waste feed cutoff system for Boiler FTB-210 at least once every 7 days when hazardous waste is burned  
Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174  
Description: Failure to demonstrate that containers were inspected weekly for leakage and deterioration  
Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(g)  
Description: Failure to have documentation indicating inspections were conducted for Tank ND-116 (NOR Unit No. 008 in Block A-18) on May 13, 2012 and Tank D-840 (NOR Unit No. 205 in Block B-46) on October 2, 2011.  
Classification: Major  
Citation: 30 TAC Chapter 335, SubChapter H 335.221(a)(6)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(1)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(2)(ii)(A)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.104(b)(1)  
Rqmt Prov:PROVISION V.I.3.b.(1) PERMIT  
Description: Failure to meet the operating parameter limit for Boiler FTB-210 (Permit Unit No. 29, NOR Unit No. 154) for minimum scrubber water pH once during 2011 and maximum stack gas concentration of carbon monoxide on 24 occurrences during 2011 while there was hazardous waste in the unit

See addendum for information regarding federal actions.

**B. Criminal convictions:**

N/A

**C. Chronic excessive emissions events:**

N/A

**D. The approval dates of investigations (CCEDS Inv. Track. No.):**

Item 1	January 30, 2009	(708374)
Item 2	February 03, 2009	(723666)
Item 3	February 10, 2009	(726245)
Item 4	February 13, 2009	(721115)
Item 5	February 17, 2009	(726413)
Item 6	February 18, 2009	(750352)
Item 7	March 03, 2009	(726864)
Item 8	March 10, 2009	(724362)
Item 9	March 11, 2009	(708431)
Item 10	March 13, 2009	(750353)
Item 11	March 17, 2009	(684690)
Item 12	March 19, 2009	(702111)
Item 13	March 23, 2009	(738607)
Item 14	April 06, 2009	(725607)
Item 15	April 16, 2009	(737836)
Item 16	April 20, 2009	(724370)
Item 17	April 22, 2009	(742156)
Item 18	April 23, 2009	(724372)
Item 19	April 24, 2009	(724369)
Item 20	April 27, 2009	(742142)
Item 21	May 20, 2009	(768419)
Item 22	May 26, 2009	(739079)
Item 23	May 27, 2009	(741025)
Item 24	May 28, 2009	(736749)
Item 25	June 05, 2009	(703325)
Item 26	June 11, 2009	(768420)
Item 27	June 15, 2009	(745452)
Item 28	July 09, 2009	(761495)
Item 29	July 22, 2009	(763032)
Item 30	July 24, 2009	(747246)
Item 31	July 27, 2009	(738993)
Item 32	July 31, 2009	(804862)
Item 33	August 04, 2009	(761464)
Item 34	August 06, 2009	(724363)
Item 35	August 11, 2009	(740758)
Item 36	August 12, 2009	(761394)
Item 37	August 20, 2009	(804863)
Item 38	September 04, 2009	(761102)
Item 39	September 22, 2009	(804864)
Item 40	September 24, 2009	(777334)
Item 41	October 06, 2009	(765800)
Item 42	October 09, 2009	(766603)
Item 43	October 12, 2009	(767413)
Item 44	October 14, 2009	(779037)
Item 45	October 15, 2009	(746875)
Item 46	October 19, 2009	(804865)
Item 47	October 28, 2009	(746879)
Item 48	November 18, 2009	(767570)
Item 49	November 30, 2009	(767571)
Item 50	December 03, 2009	(778761)
Item 51	December 10, 2009	(784555)
Item 52	December 11, 2009	(784729)
Item 53	December 14, 2009	(767533)
Item 54	December 15, 2009	(784097)
Item 55	December 28, 2009	(786681)
Item 56	January 06, 2010	(780356)
Item 57	January 19, 2010	(804868)
Item 58	January 25, 2010	(782608)
Item 59	January 26, 2010	(783566)
Item 60	February 03, 2010	(788653)

Item 61	February 09, 2010	(789348)
Item 62	February 11, 2010	(789488)
Item 63	February 17, 2010	(789487)
Item 64	February 19, 2010	(789491)
Item 65	February 22, 2010	(789345)
Item 66	February 23, 2010	(789490)
Item 67	March 03, 2010	(784740)
Item 68	March 17, 2010	(789346)
Item 69	March 22, 2010	(830960)
Item 70	March 30, 2010	(767542)
Item 71	March 31, 2010	(790100)
Item 72	April 02, 2010	(789347)
Item 73	April 05, 2010	(790092)
Item 74	April 08, 2010	(794302)
Item 75	April 09, 2010	(790086)
Item 76	April 12, 2010	(790080)
Item 77	April 15, 2010	(790078)
Item 78	April 16, 2010	(830961)
Item 79	April 21, 2010	(790102)
Item 80	May 07, 2010	(797403)
Item 81	May 10, 2010	(798066)
Item 82	May 12, 2010	(800460)
Item 83	May 17, 2010	(798932)
Item 84	May 19, 2010	(799233)
Item 85	May 20, 2010	(797395)
Item 86	May 26, 2010	(802223)
Item 87	June 11, 2010	(799638)
Item 88	June 14, 2010	(824802)
Item 89	June 16, 2010	(801231)
Item 90	June 17, 2010	(824465)
Item 91	June 18, 2010	(801241)
Item 92	June 24, 2010	(801544)
Item 93	June 25, 2010	(799641)
Item 94	June 28, 2010	(802835)
Item 95	July 07, 2010	(828931)
Item 96	July 09, 2010	(803093)
Item 97	July 12, 2010	(828930)
Item 98	July 14, 2010	(827163)
Item 99	July 21, 2010	(842057)
Item 100	July 23, 2010	(803101)
Item 101	July 24, 2010	(860887)
Item 102	July 28, 2010	(802837)
Item 103	August 12, 2010	(803144)
Item 104	August 19, 2010	(824878)
Item 105	August 20, 2010	(826373)
Item 106	August 23, 2010	(866857)
Item 107	September 03, 2010	(827135)
Item 108	September 07, 2010	(826569)
Item 109	September 10, 2010	(828111)
Item 110	September 18, 2010	(873926)
Item 111	October 05, 2010	(848874)
Item 112	October 08, 2010	(848876)
Item 113	October 12, 2010	(850106)
Item 114	October 14, 2010	(857749)
Item 115	October 19, 2010	(865702)
Item 116	October 20, 2010	(857947)
Item 117	October 28, 2010	(858061)
Item 118	October 29, 2010	(857950)
Item 119	November 01, 2010	(844915)
Item 120	November 05, 2010	(844901)



Item 121	November 08, 2010	(871865)
Item 122	November 09, 2010	(866686)
Item 123	November 15, 2010	(888052)
Item 124	December 06, 2010	(858073)
Item 125	December 16, 2010	(858064)
Item 126	December 23, 2010	(864695)
Item 127	January 03, 2011	(886741)
Item 128	January 05, 2011	(887237)
Item 129	January 20, 2011	(880092)
Item 130	January 26, 2011	(858057)
Item 131	January 27, 2011	(866395)
Item 132	February 01, 2011	(891718)
Item 133	February 07, 2011	(887922)
Item 134	February 08, 2011	(887902)
Item 135	February 09, 2011	(877393)
Item 136	February 16, 2011	(909112)
Item 137	February 24, 2011	(877954)
Item 138	March 02, 2011	(886566)
Item 139	March 04, 2011	(887744)
Item 140	March 31, 2011	(890913)
Item 141	April 06, 2011	(908529)
Item 142	April 07, 2011	(906237)
Item 143	April 20, 2011	(900011)
Item 144	April 25, 2011	(899436)
Item 145	May 11, 2011	(899440)
Item 146	May 19, 2011	(938051)
Item 147	June 13, 2011	(945419)
Item 148	June 24, 2011	(908598)
Item 149	July 01, 2011	(936448)
Item 150	July 08, 2011	(914054)
Item 151	July 19, 2011	(923035)
Item 152	July 22, 2011	(936842)
Item 153	August 16, 2011	(922596)
Item 154	August 22, 2011	(899754)
Item 155	August 23, 2011	(949740)
Item 156	August 24, 2011	(959331)
Item 157	August 31, 2011	(948288)
Item 158	September 15, 2011	(965364)
Item 159	October 19, 2011	(971403)
Item 160	November 16, 2011	(977561)
Item 161	December 09, 2011	(970299)
Item 162	December 15, 2011	(970613)
Item 163	December 16, 2011	(984331)
Item 164	December 19, 2011	(970662)
Item 165	December 20, 2011	(971102)
Item 166	January 05, 2012	(970635)
Item 167	January 18, 2012	(970657)
Item 168	January 24, 2012	(980403)
Item 169	February 01, 2012	(969281)
Item 170	February 14, 2012	(987436)
Item 171	February 16, 2012	(987704)
Item 172	February 17, 2012	(987272)
Item 173	February 21, 2012	(997990)
Item 174	February 24, 2012	(971185)
Item 175	February 27, 2012	(988947)
Item 176	March 19, 2012	(1003517)
Item 177	April 03, 2012	(993988)
Item 178	April 13, 2012	(993681)
Item 179	April 18, 2012	(1010082)
Item 180	April 24, 2012	(995660)

Item 181	April 25, 2012	(994686)
Item 182	May 01, 2012	(996737)
Item 183	May 04, 2012	(997785)
Item 184	May 11, 2012	(994143)
Item 185	May 15, 2012	(989453)
Item 186	May 18, 2012	(948856)
Item 187	May 22, 2012	(994688)
Item 188	May 24, 2012	(994684)
Item 189	June 08, 2012	(1007990)
Item 190	June 15, 2012	(1024195)
Item 191	June 20, 2012	(1008522)
Item 192	June 21, 2012	(1008508)
Item 193	June 25, 2012	(1009180)
Item 194	June 28, 2012	(1015072)
Item 195	July 02, 2012	(1013035)
Item 196	July 18, 2012	(1009237)
Item 197	July 30, 2012	(1013952)
Item 198	August 07, 2012	(996853)
Item 199	August 09, 2012	(1015142)
Item 200	August 15, 2012	(1001054)
Item 201	August 21, 2012	(1037965)
Item 202	September 14, 2012	(1008318)
Item 203	September 18, 2012	(1031360)
Item 204	September 19, 2012	(1046698)
Item 205	September 24, 2012	(1020461)
Item 206	October 22, 2012	(1060952)
Item 207	October 26, 2012	(1029292)
Item 208	November 06, 2012	(1041226)
Item 209	November 15, 2012	(1035647)
Item 210	November 19, 2012	(1060953)
Item 211	December 03, 2012	(1044422)
Item 212	December 04, 2012	(1046084)
Item 213	December 12, 2012	(1036299)
Item 214	December 14, 2012	(1037471)
Item 215	December 20, 2012	(1060954)
Item 216	January 08, 2013	(1041022)
Item 217	January 18, 2013	(1035654)
Item 218	January 21, 2013	(1079014)
Item 219	January 23, 2013	(1036297)
Item 220	January 29, 2013	(1054979)
Item 221	February 13, 2013	(1050260)
Item 222	February 21, 2013	(1079013)
Item 223	February 22, 2013	(1059544)
Item 224	February 25, 2013	(1035692)
Item 225	February 26, 2013	(1008881)
Item 226	February 28, 2013	(1001639)
Item 227	March 06, 2013	(1050252)
Item 228	March 20, 2013	(1089331)
Item 229	April 03, 2013	(1060008)
Item 230	April 04, 2013	(1059940)
Item 231	April 10, 2013	(1058915)
Item 232	April 12, 2013	(1075521)
Item 233	April 22, 2013	(1095725)
Item 234	April 29, 2013	(951840)
Item 235	May 24, 2013	(1106650)
Item 236	June 14, 2013	(1086656)
Item 237	June 20, 2013	(1110325)
Item 238	June 25, 2013	(1095339)
Item 239	July 18, 2013	(1117210)
Item 240	August 05, 2013	(1099245)

Item 247	September 26, 2013	(1103825)
Item 248	October 21, 2013	(1105811)
Item 249	November 06, 2013	(1058974)
Item 250	November 08, 2013	(1120629)
Item 251	November 21, 2013	(1140694)
Item 252	November 25, 2013	(1121004)
Item 253	December 04, 2013	(1134449)
Item 254	December 19, 2013	(1134635)
Item 255	January 07, 2014	(1133980)
Item 256	January 15, 2014	(1133862)
Item 257	January 23, 2014	(1140170)

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date: 01/29/2013 (1114607)	CN600356976
	Self Report? NO	Classification: Moderate
	Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4) 5A THSC Chapter 341, SubChapter A 341.0315(c)	
	Description: TTHM MCL 1Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 1st quarter of 2013 with a RAA of 0.081 mg/L.	
2	Date: 02/08/2013 (1029284)	CN600356976
	Self Report? NO	Classification: Moderate
	Citation: 30 TAC Chapter 117, SubChapter B 117.310(f) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) STC No. 1A OP	
	Description: Failure to prevent the operation of the Emergency Diesel Engine (EPN A70ECGE503) between the hours of 6:00 a.m. and noon on March 1, 2011. (Category C3 Violation)	
	Self Report? NO	Classification: Moderate
	Citation: 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THSC Chapter 382 382.085(b) SC 20E PERMIT SC 8E PERMIT STC 1A & 15 OP	
	Description: Failure to equip open-ended lines with a cap, blind flange, plug or a second valve in the OC5FU6 area on April 4, 2011, and in the A40ECFU2 area on January 25, 2012. (Category C10 Violation)	
3	Date: 02/15/2013 (1050524)	CN600356976
	Self Report? NO	Classification: Moderate
	Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) Special Condition (SC) 15 PERMIT Special Terms and Conditions (ST&C) 17 OP	
	Description: Failure to maintain minimum temperature of catalytic oxidizer (B19g(1)).	
	Self Report? NO	Classification: Minor
	Citation: 30 TAC Chapter 101, SubChapter F 101.201(b) 5C THSC Chapter 382 382.085(b) Special Terms and Conditions (ST&C) 2 OP	
	Description: Failure to create a final record of a non-reportable emissions event within two weeks after the end of the event. (C3)	
	Self Report? NO	Classification: Minor
	Citation: 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b)	

## ST&amp;C 3(A)(IV)(3) OP

Description: Failure to maintain records of quarterly visible emission observations. (B3)

- 4 Date: 03/18/2013 (1050744) CN600356976  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.172(f)(1)(ii)  
 5C THSC Chapter 382 382.085(b)  
 Special Term & Condition 1A OP  
 Description: Failure to conduct the annual audio, visual, and olfactory (AVO) inspection within the required timeframe. (Category C7)
- 5 Date: 04/24/2013 (1050747) CN600356976  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 24B PERMIT  
 Special Terms and Condition 17 OP  
 Description: Failure to conduct the weekly Ammonia slip sampling. (Category B1)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 11 PERMIT  
 Special Terms and Condition 17 OP  
 Description: Failed to maintain the CO concentration for the Throx (B44VOTO100). (Category B1)
- 6 Date: 05/03/2013 (1076966)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 SC 6E PERMIT  
 ST&C 10 OP  
 Description: Failure to monitor piping connections within 15 days. (Category C7)
- 7 Date: 05/07/2013 (1114607) CN600356976  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)  
 5A THSC Chapter 341, SubChapter A 341.0315(c)  
 Description: TTHM MCL 2Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 2nd quarter of 2013 with a RAA of 0.092 mg/L.
- 8 Date: 05/24/2013 (1073335) CN600356976  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 4 OP  
 Special Term & Condition 9 OP  
 Description: Exceeded permitted fill drain rate on storage vessels (1 deviation):  
 Dow reported one deviation when the fill/drain rate on storage tank D-275 was exceeded. For more information see violation tracking number (VTN) 498476.  
 (Category C7)
- 9 Date: 06/07/2013 (1076013) CN600356976  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 30 TAC Chapter 122, SubChapter B 122.146(2)  
 5C THSC Chapter 382 382.085(b)  
 General Terms and Conditions OP  
 Description: Failure to submit PCC within the 30-day deadline. (Category B3 Violation)
- 10 Date: 06/14/2013 (1086486) CN600356976  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
 5C THSC Chapter 382 382.085(b)

Special Condition No. 1 PERMIT

Description: Dow failed to prevent unauthorized emissions during Incident No. 180268

11

Date: 06/14/2013 (1077137)

CN600356976

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)  
Special Condition No. 1 PERMIT

Description: Dow failed to prevent unauthorized emissions during Incident No. 180774.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
5C THSC Chapter 382 382.085(b)

Description: Dow failed to report an emissions event in a timely manner during Incident No. 180774.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)  
5C THSC Chapter 382 382.085(b)

Description: Dow failed to input a final report within two weeks following Incident No. 180774.

12

Date: 07/03/2013 (1092589)

CN600356976

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)  
30 TAC Chapter 335, SubChapter E 335.112(a)(20)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1062

Description: Failure to monitor one valve in Block B-68 annually for 40 CFR Part 265 Subpart BB compliance.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)  
30 TAC Chapter 335, SubChapter E 335.112(a)(8)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(i)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174

Description: Failure to inspect hazardous waste containers on a weekly basis.

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)  
30 TAC Chapter 335, SubChapter E 335.112(a)(9)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(a)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(b)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(c)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(e)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(f)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(g)

Description: Failure to inspect the hazardous waste tank NOR 161 each day.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)  
Provision II.V.1.j. PERMIT

Description: Failure to keep Notice of Registration up to date for waste streams and waste management unit information.

13

Date: 07/31/2013 (1094316)

CN600356976

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
NSR 4021 SC 7 PERMIT  
O-02202 OP

Description: Failure to keep chlorine (Cl<sub>2</sub>) emissions from Carbonate Tower (EPN B22SV32) to 5 parts per million by volume or less averaged over a six-minute period.

14

Date: 08/06/2013 (1094163)

CN600356976

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Special Term and Condition 14 OP

Description: Failure to maintain emissions below permitted hourly limits for ammonia (NH<sub>3</sub>) for EPN B56SB3. (Category C4 violation)

- 15 Date: 08/13/2013 (1114607) CN600356976  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter F 290.122(b)(3)(B)  
30 TAC Chapter 290, SubChapter F 290.122(f)  
Description: TTHM DBP1 MCL PN 2Q2013 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for trihalomethanes during the 2nd quarter of 2013.
- 16 Date: 08/28/2013 (1094543) CN600356976  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 115, SubChapter H 115.783(5)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THSC Chapter 382 382.085(b)  
FOP O-02213, ST&C 21 OP  
NSR 20432, SC 1(E) PERMIT  
Description: Failure to seal open-ended lines for three bull plugs on Unit ID: B72L7FU1. (CATEGORY C10)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
5C THSC Chapter 382 382.085(b)  
FOP O-2213, ST&C 21 and ST&C 1A OP  
NSR 20432, SC III-1 PERMIT  
Description: Failure to maintain a continuous flame present for EPN: OC6F1018 and EPN: OC6L8F902. (CATEGORY C7)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 60, Subpart A 60.18(c)(4)(i)  
5C THSC Chapter 382 382.085(b)  
FOP O-02213 OP  
NSR 20432, Special Condition III-1 PERMIT  
Description: Failure to maintain the maximum exit velocity for flare (EPN: OC6L8F1). (CATEGORY C7)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-02213, ST&C #21 OP  
NSR 20432, Special Condition III-2 PERMIT  
Description: Failure to maintain the 12-month rolling average Carbon Monoxide (CO) emission factor. (CATEGORY C7)  
Self Report? NO Classification: Moderate  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
5C THSC Chapter 382 382.085(b)  
Description: Failure to maintain the net heating value for flare EPN: BL7FT01. (CATEGORY C7)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)  
5C THSC Chapter 382 382.085(b)  
FOP O-02213, ST&C #21 and ST&C #1A OP  
NSR 20432, Special Condition III-1 PERMIT  
Description: Failure to operate the flare (EPN: OC6F1018) without visible emissions. (CATEGORY C7)
- 17 Date: 09/12/2013 (1117010) CN600356976  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)  
30 TAC Chapter 335, SubChapter E 335.112(a)(8)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(i)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174  
Description: Failure to inspect hazardous waste containers on a weekly basis.  
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(B)  
 30 TAC Chapter 335, SubChapter E 335.112(a)(9)  
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)  
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(a)  
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(b)  
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(c)  
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(e)  
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(f)  
 40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.195(g)  
 Description: Failure to inspect the hazardous waste tank NOR 161 each day.

- 18 Date: 09/30/2013 (1135295) CN600356976  
 Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter
- 19 Date: 10/21/2013 (1116264) CN600356976  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 SC 1 PERMIT  
 ST&C 15 OP  
 Description: Failure to maintain CO emissions within MAERT limit. (B14)  
 Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 SC 4(C)(2) PERMIT  
 ST&C 15 OP  
 Description: Failure to maintain daily LEL monitor functionality test result records. (C3)
- 20 Date: 10/25/2013 (1120146) CN600356976  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition #1 PERMIT  
 Description: Failure to prevent unauthorized emissions due to avoidable incorrect valve opening.
- 21 Date: 10/25/2013 (1139816) CN600356976  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)  
 5A THSC Chapter 341, SubChapter A 341.0315(c)  
 Description: TTHM MCL 3Q2013 - The system violated the maximum contaminant level for trihalomethanes during the 3rd quarter of 2013 with a RAA of 0.088 mg/L.
- 22 Date: 11/13/2013 (1116238) CN600356976  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 9 PERMIT  
 ST&C 1A and 20 OP  
 Description: Failure to calibrate flow monitoring device.
- 23 Date: 11/20/2013 (1116243) CN600356976  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 4 PA  
 Special Terms and Conditions 1A and 13 OP  
 Description: Failure to maintain the net heating value of flare FOP Unit ID BSRSRF401 over 300 Btu/scf. (Category C4)  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 5E PA  
Special Terms and Conditions 13 OP  
Description: Failure to seal open-ended lines in FOP Unit ID BSRSRFUSTV. (Category C10)

- 24 Date: 11/22/2013 (1128483) CN600356976  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)  
5C THSC Chapter 382 382.085(b)  
FOP, Special Term and Condition 13 OP  
FOP, Special Term and Condition 1A OP  
NSR Special Condition 6E PERMIT  
Description: Failure to seal an open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve. [C10]
- 25 Date: 11/26/2013 (1116262) CN600356976  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SPECIAL CONDITION 6-A PERMIT  
SPECIAL TERMS & CONDITIONS 14 OP  
Description: Failure to prevent NOx concentration exceedance of 3 hour average limit of 9 ppmvd from GT66 (EPN B24S4). (B14)
- 26 Date: 12/03/2013 (1120636)  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Special Condition #1 PERMIT  
Description: Failure to prevent unauthorized emissions due to compressor valve failure.
- 27 Date: 12/04/2013 (1120634) CN600356976  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Description: Failure to prevent unauthorized emissions due to a turboexpander trip.
- 28 Date: 01/15/2014 (1050264) CN600356976  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THSC Chapter 382 382.085(b)  
GT&C OP  
Description: Failure to submit the PCC report dated October 31, 2012, within the required 30-day timeframe. (Category B3)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
5C THSC Chapter 382 382.085(b)  
GT&C OP  
Description: Failure to submit the semi-annual deviation report dated October 31, 2012, within the required 30-day timeframe. (Category B3)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THSC Chapter 382 382.085(b)  
ST&C 1 OP  
Description: Failure to prevent an open ended line in VOC service from fugitive group B3831FU1. (Category C-10)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)



5C THSC Chapter 382 382.085(b)  
SC 4B PERMIT  
ST&C #13 OP  
Description: Failure to maintain a pilot flame on flare (EPN B3808F1). (Category B-18)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
5C THSC Chapter 382 382.085(b)  
SC 4A PERMIT  
ST&C #13 OP

Description: Failure to maintain 300 Btu/scf net heating value on the steam assisted flare (EPN B3808F1). (Category B-18)

## F. Environmental audits:

Notice of Intent Date: 10/25/2007 (600864)  
Disclosure Date: 02/27/2009  
Viol. Classification: Moderate  
Rqmt Prov: PERMIT IHW Storage Permit 50161  
Description: Failure to maintain a service schedule for the calibration of the thermocouples, pressure sensors, and flow sensors on the F-210.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)  
Description: The system response for periods of failure of the data historian is inadequate as shown by gaps in the operating records, for F-210 and FTB-603, for periods of time when the primary data historian is not functioning.  
Viol. Classification: Minor  
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)  
Description: Inspection of the weekly AWFCO records from May 2008 through September 2008 for F-210 indicates that some weekly inspections exceeded seven days.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(iii)  
Description: Lack of Hazardous Organic NESHAP (HON) Start-up, Shutdown and Malfuntnon Plan (SSMP) records.  
Viol. Classification: Minor  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(g)  
Description: B70F1 glare (FS-101) can receive halogenated vent streams and is incorrectly listed as a HON control device in the Notification of Compliance Status submitted 09/10/1997.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(C)(ii)  
Rqmt Prov: PERMIT IHW Storage Permit 50161  
Description: Ash feed rate is not being monitored or recorded for FTB-603 and F-210.  
Viol. Classification: Minor  
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(10)  
Description: Data for total chloride/chlorine feed rate is not being transferred to the historical data server for long term storage.  
Viol. Classification: Minor  
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(6)  
Description: One minute averages for some parameters are not being recorded in the BIF data files as per the parameters listed in Table V.I.2. of the RCRA permit for FTB-603.  
Viol. Classification: Minor  
Rqmt Prov: PERMIT IHW Storage Permit 50161  
Description: The daily inspection forms for F-210 and FTB-603 do not have an entry for inspecting for "External corrosion that may affect integrity".  
Viol. Classification: Moderate  
Rqmt Prov: PERMIT IHW 50106  
Description: Several of the FTB-603 AWFCO parameters are not included, such as scrubber L/G, scrubber pH, scrubber blowdown, etc., in the annual AWFCO function test. Two BIF parameters (combustion chamber temperature and combustion air flow) are included but are tested on a two year frequency instead of annual.  
Viol. Classification: Minor  
Rqmt Prov: PERMIT Flexible Air Permit 20432  
PERMIT IHW Storage Permit 50161  
Description: Records for the 4Q07, calibration error (CE) test, and the 1Q07, 2Q07, 3Q07 quarterly CGA test for FTB-603 could not be located. Records for the 1Q06 and 2Q07, calibration error (CE) tests and the 1Q07, 2Q07, 3Q07, 1Q08, 2Q08, 3Q08 quarterly CGA tests for F-210 could not be located.  
Viol. Classification: Moderate  
Citation: 2E THSC Chapter 101, SubChapter B 101.001

Rqmt Prov: PERMIT IHW Storage Permit 50161

Description: Loss of the fan on FTB-603 is not included in the AWFCO tests.

Viol. Classification: Moderate

Rqmt Prov: PERMIT Flexible Permit 20432

Description: Failure to fully complete all stack testing at FTB-603 and F-210.

Viol. Classification: Moderate

Rqmt Prov: PERMIT Flexible Permit 20432

Description: Lack of historical data recording individual flow rate data for each waste stream feeding F-210 and FTB-603.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.73

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102

Rqmt Prov: PERMIT IHW Storage Permit 50161

Description: For FTB-603 and F-210, hazardous waste feed rate is incorrectly recorded in units of thousand of pounds per day. Primary stack flow is incorrectly recorded in Standard Cubic Feet per Minute. Total chloride/chlorine feed rate is incorrectly recorded in thousands of pounds per day. Metals feed rates (As, Be, Cd, Cr, Sb, Ba, Pb, Hg, Ni, Se, Ag, Tl, and Zn) are incorrectly recorded in grams/year.

Viol. Classification: Moderate

Rqmt Prov: PERMIT New Source Review Permit 20432

Description: Missing TTU outage records for FTB-603 and F-210.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.114(e)

Description: Since the Notification of Compliance Status was submitted 09/10/1997, the document has incorrectly listed the minimum firebox temperature for FTB-603.

Viol. Classification: Minor

Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(6)

Description: Recordkeeping for some BIF parameters includes the snapshot data instead of the one-minute average data.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(6)

Rqmt Prov: PERMIT IHW Storage Permit 50161

Description: The hourly rolling average data for % Oxygen is not recorded.

Viol. Classification: Moderate

Rqmt Prov: PERMIT IHW Storage Permit 50161

Description: No recordkeeping of soot-blowing events as required in IHW permit with monitoring basis of "event".

Viol. Classification: Moderate

Rqmt Prov: PERMIT IHW Storage 50161

Description: The AWFCO for low combustion air flow is not tested weekly as required.

Viol. Classification: Moderate

Rqmt Prov: PERMIT IHW Storage Permit 50161

Description: The AWFCO for maximum combustion chamber temperature is set at 2183 degree F, but the permit limit is 2182 degrees F.

Viol. Classification: Minor

Rqmt Prov: PERMIT IHW permit 50161

Description: The daily inspection form does not include documentation of inspection for "external corrosion that may affect integrity" as required in the IHW permit.

Viol. Classification: Moderate

Rqmt Prov: PERMIT New Source Review Permit 3434

Description: Review of data from 08/18/2006 to 03/31/2008 showed four instances when the total light oil feed rate to the boilers exceeded the air permit representation used in the emissions calculations.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(6)

Rqmt Prov: PERMIT IHW Storage Permit 50161

Description: No AWFCO in place for maximum combustion air flow as required in the IHW permit.

Notice of Intent Date: 10/25/2007 (600866)

Disclosure Date: 02/27/2009

Viol. Classification: Moderate

Rqmt Prov: PERMIT NSR permit 8567

Description: Analysis of the HRVOC data for flare B78F1 shows that the annual permit limits for VOC, CO, and NOx emissions from the flare were exceeded in 2006, 2007, and 2008.

Viol. Classification: Moderate

Rqmt Prov: PERMIT NSR permit 834

Description: Analysis of the HRVOC data for flare B45F1 shows that the hourly MSS permit limits for VOC and propylene emissions from the flare were exceeded in 2006, 2007, and 2008. MSS emissions limits were originally set

as ethylene only. The HRVOC gas chromatograph shows that there are traces of other VOCs in the stream sent to the flare during MSS activities that were not accounted for in the original MSS air permit.

Viol. Classification: Moderate

Rqmt Prov: PERMIT NSR permit 6803

Description: Analysis of the HRVOC data for flare B27F1 shows that the annual permit limits for VOC, CO, and NOx emissions and hourly VOC emissions from the flare were exceeded in 2006 and 2007.

Viol. Classification: Moderate

Rqmt Prov: PERMIT NSR permit 37884

Description: Analysis of the HRVOC data for flare OC4F600 shows that the hourly permit limit for VOC emissions from the flare was exceeded in 2006, 2007, and 2008 and the annual permit limit for VOC emissions from the flare was exceeded in 2008. The HRVOC gas chromatograph shows that there are air pollutants in the stream that were not accounted for in the original permit calculations.

Viol. Classification: Moderate

Rqmt Prov: PERMIT NSR permit 20432

Description: Analysis of the HRVOC data for flare B70F1 and B70F801 shows that the permit limits of hourly VOC emissions from the flares were exceeded at time in 2008. In addition, flare B23F865 shows that the permit limits for hourly VOC and/or propylene emissions from the flare were exceeded at time in 2008.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(4)(iii)

Rqmt Prov: PERMIT Federal Operating Permit O-02208

Description: Analysis of the HRVOC data for flare B70F801 shows that the maximum tip velocity from the flare was exceeded at times in 2006.

Notice of Intent Date: 09/02/2008 (706228)

Disclosure Date: 04/03/2009

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125

Rqmt Prov: PERMIT RCRA Permit HW-50161-001

Description: Failure to maintain sufficient documentation demonstrating that personnel responsible for ensuring compliance with the RCRA permit are familiar with the location and content of the RCRA permit.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.37(a)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.37(b)

Description: Failure to maintain sufficient documentation that confirms arrangements with local authorities (police and hospital) is in place as appropriate for the type of waste handled at the Dow facility in Freeport, Texas.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125

Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to maintain sufficient documentation that annual certification of wastes meeting Land Disposal Requirements are kept on record at the Dow facility in Freeport, Texas.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125

Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to use the sampling and analytical methods in permit 50161-001 during initial pre-shipment analysis of incoming bulk, liquid wastes at the B-33 Kiln.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.177(c)

Description: Failure to properly store hazardous waste. Specifically, storage containers holding a hazardous waste that may be incompatible with waste or other materials stored nearby, in other containers, are not separated from other materials or protected from them by means of a dike, berm, wal, or other device.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125

Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to maintain sufficient documentation that compressive strength testing is performed to demonstrate successful stabilization prior whenever stabilization of hazardous waste is based solely on a pozzolanic reaction.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125

Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to maintain sufficient documentation that compressive strength testing was performed to demonstrate successful stabilization of waste prior to landfilling.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT O 268.3

Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to properly manage waste streams subject to Land Disposal Restrictions. Specifically, waste

streams may have been treated using a potentially ineffective treatment method.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125

Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to maintain sufficient documentation that initial shipments and random fingerprint analysis on subsequent shipments of offsite bulk and containerized wastes, destined for the B-51 Hazardous Waste Landfill are subjected to a fingerprint analysis to verify that the Waste Profile associated with the waste is correct.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125

Rqmt Prov: PERMIT RCRA Permit 50161-001

Description: Failure to maintain sufficient documentation that incinerator residue contaminated with F024/K022

(scrubber water filter cake) waste number 5034503H on the Notice of Registration (Dow Waste Profile Number 119111-000) were adequately analyzed after stabilization and prior to landfilling.

Notice of Intent Date: 10/24/2008 (707543)

Disclosure Date: 11/10/2009

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(2)

30 TAC Chapter 115, SubChapter B 115.122(a)(2)

30 TAC Chapter 115, SubChapter B 115.125

30 TAC Chapter 115, SubChapter B 115.126

30 TAC Chapter 115, SubChapter B 115.126(1)(C)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.102(a)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)

Description: Failure to classify caustic scrubbers as HON control devices and perform tests or monitor HON control devices for purposes of HON MACT or Reg V Vent Gas Control requirements.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.116

Description: Failure to amend the NSR Air permit to authorize process vents to be intermittently redirected from the THROX to the T-2910/T-2912 caustic scrubbers under normal operating conditions since 1999.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.103(c)

Description: Failure to keep available bypass records for any SSM diversions of DK-2822 from F-2820 boiler/T-2830 halogen scrubber to the caustic scrubbers, T2910/T-2912.

Viol. Classification: Minor

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.11(d)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)

Description: Failure to submit update to Title V for NSPS RRR and NSPS NNN applicability related to reactors R-2301 and R-2302 and distillation units RT-2303 and T-2403, respectively.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.129

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)

Description: Failure to submit either original HON Subpart Notification of Compliance Status (NOCS) or supplemental NOCS for the Group 2 TDI tank truck (B4TDILR1) and railcar (B4TDILR2) transfer operations.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.1(b)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2515(b)

Description: Failure to document negative applicability with 40 CFR 63 Subpart FFFF, Miscellaneous Organic NESHAP (MON).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.116

Description: Failure to maintain adequate records for MSS activities and emissions that are noted in Special Condition No. 21 of NSR Air permit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.263

Description: Failure to amend TCEQ NSR Air Permit No. 2008 to authorize maintenance, startup, shutdown emissions routed from the emissions vacuum system to the T-2914 scrubber.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)  
Description: Failure to maintain adequate operating procedures and recordkeeping for emission events that emit less than Reportable Quantity (RQ).

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter D 115.354(3)  
Description: Failure to operate forced and induced draft blowers to maintain proper mitigation building pressure while the phosgene service units are in operation.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter B 115.116  
Description: Failure to abide by Condition 4 of the AMOC 2000-01 which requires the Flange Leak Detection System (FLDS) to be vented to the THROX system or to submit a request to revise the AMOC to allow diversion to the T-2910/T-2912 scrubbers when the THROX system is unavailable or down.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter B 115.116  
Description: Failure to implement management systems to ensure all instrumentation is calibrated to the required frequency.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34  
Description: Failure to classify the D-10 vessel as a RCRA Hazardous Waste vessel.

Notice of Intent Date: 11/18/2008 (722258)  
Disclosure Date: 04/26/2010

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.134  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.136  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.137  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)  
Description: Notification of Compliance Status for MON (NESHAP:Miscellaneous Organic Chemical Manufacturing) submitted in October 2008 for the Market Development: Converted Epoxy Resins (B3800) Plant did not include the presence of a small amount of benzene in a batch process vent and process wastewater stream.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(a)  
Description: Previous annual reports for National Emission Standards for Benzene Waste Operations for the process unit "TXO B3806 Market Development Brom Resins/Epoxy" did not include five exempt sources of benzene.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter B 115.165  
30 TAC Chapter 115, SubChapter B 115.165(1)  
30 TAC Chapter 115, SubChapter B 115.165(2)  
30 TAC Chapter 115, SubChapter B 115.166(1)  
30 TAC Chapter 115, SubChapter B 115.166(1)(A)(iii)  
30 TAC Chapter 115, SubChapter B 115.166(3)  
30 TAC Chapter 115, SubChapter B 115.166(3)(C)  
Description: Failure to demonstrate performance testing using methods specified in 115.165 for water scrubbers T-101 (EPN: B3809SV101) and T-304 (EPN: B3809SV304) and record monitoring parameters required to be measured during the performance tests.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter B 115.166  
30 TAC Chapter 115, SubChapter B 115.166(1)  
30 TAC Chapter 115, SubChapter B 115.166(1)(A)(iii)  
Description: Failure to retain temperature monitoring data for scrubbing liquid temperature for T-101 and T-304 for a 5 year period as required by 115.166.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter B 115.166(2)(B)  
Description: Failure to maintain a record of the average flow rate and documentation verifying this value.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.131  
30 TAC Chapter 122, SubChapter B 122.132  
Description: Failure to contain specific terms and conditions for the Market Development Plant (Epoxy Products)

regarding the applicability of Chapter 115 batch Processes as required by 40 CFR 70.5 (c) and 30 TAC 122.132 (e) in the Title V permit.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT GGG 63.1257(d)(2)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(a)(1)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(c)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.134  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.136  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.137

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.139  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.140  
40 CFR Part 63, Subpart G 63.141  
40 CFR Part 63, Subpart G 63.142  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.143  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.145  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.146  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.147  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148

Description: Failure to include the presence of a small amount of epichlorohydrin in a batch process vent, a Group 1 Stream, and a process wastewater stream, a Group 2 stream.

Viol. Classification: Major

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.115(d)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.134  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.136  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.137  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.139  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.140  
40 CFR Part 63, Subpart G 63.141  
40 CFR Part 63, Subpart G 63.142  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.143  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.145  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.146  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.147  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2455(b)

Description: Failure to include the presence of a small amount of chloromethane and bromomethane found in process vent and process wastewater streams in the Notification of Compliance Status for MON (40 CFR Part 63 Subpart FFFF: National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing).

Viol. Classification: Major

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.115(d)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT GGG 63.1257(d)(2)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(a)(1)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(c)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.133  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.134

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.135  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.136  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.137  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.139  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.140  
40 CFR Part 63, Subpart G 63.141  
40 CFR Part 63, Subpart G 63.142  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.143  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.145

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.146  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.147  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2455(b)

Description: Failure to include the maximum amount of benzene found in process vent and process wastewater streams in the Notification of Compliance Status for MON (40 CFR Part 63 Subpart FFFF: National Emission Standard for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing) submitted in August 2009.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter T 106.454  
30 TAC Chapter 106, SubChapter T 106.454(3)(D)

Description: Failure to keep an internal clean-parts drainage rack for enclosed draining under a cover for the B3806SC01 Solvent Cleaning Station as required by TAC 106.545 (3)(D).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.131  
30 TAC Chapter 122, SubChapter B 122.132(e)  
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)  
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)(4)

Description: Failure to submit a Title V permit revision to include Benzene Waste Operations (BWON) applicability for applicable streams within "TXO B3806 Market Development Brom Resins/ Epoxy".

Notice of Intent Date: 03/17/2009 (742452)

Disclosure Date: 03/22/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(10)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(i)(A)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(i)(B)  
30 TAC Chapter 335, SubChapter H 335.221(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to extract required one-minute average (OMA) and hourly rolling average (HRA) operating data, including constituent feed rates.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(6)  
30 TAC Chapter 305, SubChapter F 305.127(2)  
30 TAC Chapter 335, SubChapter H 335.221(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(B)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(C)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)(ii)

Description: Failure to maintain programming: did not properly trigger automatic waste feed cut off (AWFCO), did not convert OMA readings from carbon monoxide CEMS system to 10,000 ppmv when 3,000 PPMV is exceeded, did not properly calculate of the hourly rolling averages when instrument failure is detected, and did not initiate an AWFCO when the span of a continuous monitoring system (CMS) (except CEMS) was exceeded and when there is a CMS malfunction.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(10)

40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(iv)  
30 TAC Chapter 305, SubChapter F 305.127  
30 TAC Chapter 305, SubChapter F 305.127(2)  
30 TAC Chapter 335, SubChapter H 335.221(a)

Description: Failure to document compliance with the RCRA permit requirement for annual feed rate limits, and weekly AWFCO alarm testing.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(10)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(i)(A)  
40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.102(e)(8)(i)(B)  
30 TAC Chapter 335, SubChapter H 335.221  
30 TAC Chapter 335, SubChapter H 335.221(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to change HRA values for operating parameters for extended periods to show accurate data.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(2)(iii)

Description: Failure to identify an oxygen correction in the Startup, Shutdown, and Malfunction (SSM) Plan for the HWC MACT.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to determine and document the maximum amount of constituents that could enter the Thermal Oxidizer via the various non-waste sources and programmed this information so that this contribution is accounted for in the feed rate determinations.

Viol. Classification: Moderate

Citation: 4F TWC Chapter 63, SubChapter A 63.109

Description: Failure to use One Minute Averages (OMAs) instead of Minute Rolling Averages (MRAs) to determine Hourly Rolling Averages (HRAs) for at least the following parameters- HCl Production, Ejector Venturi Feed Pressure, Demister pH, and D-30 Blowdown.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.347(d)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to extract OMA and HRA operating data for the After Burner Chamber (ABC) temperature and Scrubber Tower pump amperage.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to update HRA values for various operating parameters for extended periods of time.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.345(e)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to monitor the flow meter's performance.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1203(a)(3)

Description: Failure to properly convert OMA readings from the carbon monoxide CEMS system to 10000 ppmv when the 3000 ppmv span is exceeded.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT O 264.347(d)



30 TAC Chapter 305, SubChapter F 305.127(2)

Description: Failure to verify compliance with RCRA permits requirements for annual feed rate limits.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 270, SubChapter I, PT 270, SubPT C 270.30(l)(1)

Description: Failure to modify the RCRA permit to correct the discrepancies concerning the arrangement and size of the vent spargers in the Afterburner Chamber.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to include feed rates of constituents in the process vents, tank vents and supplemental fuels indentified in Table V.I.3 of the permit and HWC MACT Table 2 Documentation of Compliance for this unit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.116

Description: Failure to include quantities of solid waste from the pack-line in the Total Hazardous Waste calculations.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)

Description: Failure to review and update the Operation and Maintenance Plan in 2007.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)

Description: Failure to disclose summary information associated with 10 malfunction events in 60 days in the January 2009 HWC MACT periodic report.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1211(c)

Description: Failure to calibrate flow meter.

Notice of Intent Date: 03/24/2009 (742462)

No DOV Associated

Notice of Intent Date: 03/30/2009 (742456)

No DOV Associated

Notice of Intent Date: 04/13/2009 (744897)

Disclosure Date: 06/08/2009

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.116

Description: Failure to maintain documentation demonstrating that the caustic scrubber is designed with no less than 99 percent removal efficiency for hydrogen chloride and 99.98 percent for bromine.

Notice of Intent Date: 05/04/2009 (746990)

Disclosure Date: 05/04/2010

Viol. Classification: Moderate

Rqmt Prov: PERMIT Title V Permit No. O-01388

PERMIT Title V Permit No. O-02204

PERMIT Title V Permit No. O-02207

PERMIT Title V Permit No. O-02208

PERMIT Title V Permit No. O-02211

PERMIT Title V Permit No. O-02212

PERMIT Title V Permit No. O-02213

PERMIT Title V Permit No. O-02215

PERMIT Title V Permit No. O-02216

PERMIT Title V Permit No. O-02217

PERMIT Title V Permit No. O-02218

Description: Failure to identify RMP Chemicals in the Risk Management Plan.

Viol. Classification: Moderate

Rqmt Prov: PERMIT Title V Permit No. O-02207

PERMIT Title V Permit No. O-02209

PERMIT Title V Permit No. O-02211

PERMIT Title V Permit No. O-02213

Description: Failure to update RMP to document new Toxic Alternative case modeling scenario (Release Scenario) and new Flammable Worst Case modeling scenario when RMP chemicals were modeled.

Viol. Classification: Moderate  
Rqmt Prov: PERMIT Title V Permit No. O-02208  
PERMIT Title V Permit No. O-02210  
PERMIT Title V Permit No. O-02216  
PERMIT Title V Permit No. O-02217  
PERMIT Title V Permit No. O-02219  
Description: Failure to identify process containing RMP chemicals.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter B 115.116  
Rqmt Prov: PERMIT Title V Permit No. O-02215  
PERMIT Title V Permit No. O-02221  
Description: Failure to identify RMP release events in the five year history.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter B 115.116  
Rqmt Prov: PERMIT Title V Permit No. O-02213  
Description: Failure to audit cover process, LHC Distribution, every 3 years.

Notice of Intent Date: 05/13/2009 (746992)  
No DOV Associated

Notice of Intent Date: 05/22/2009 (764971)  
Disclosure Date: 12/15/2009  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(B)  
Description: Failure to register on-site waste management units.

Notice of Intent Date: 05/28/2009 (759316)  
No DOV Associated

Notice of Intent Date: 06/08/2009 (760155)  
No DOV Associated

Notice of Intent Date: 06/12/2009 (762770)  
No DOV Associated

Notice of Intent Date: 06/17/2009 (761059)  
No DOV Associated

Notice of Intent Date: 06/29/2009 (761341)  
No DOV Associated

Notice of Intent Date: 07/02/2009 (762286)  
Disclosure Date: 10/26/2009  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter C 115.213  
Rqmt Prov: PERMIT Standard Conditions

Description: Failure to ensure that materials containing volatile organic compounds with a true vapor pressure greater than or equal to 0.5 psia under actual storage conditions are not being transferred from a dempster into an Iso-container that is vented to atmosphere and to ensure that a loading control plan for the site and an updated report are submitted to TCEQ within 30 days after installation of the additional loading rack.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
Rqmt Prov: PERMIT Special Conditions

Description: Failure to monitor 4,555 fugitive connectors at least once out of 5,773 fugitive connectors. The other 1,218 have been monitored at least once, but have missed monitoring for various time periods.

Viol. Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)  
Rqmt Prov: PA Special Conditions

Description: Failure to maintain records of the March 31, 2008 quarterly cylinder gas audit.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)

Description: Failure to ensure the current Title V permit (O-02207) and application contain information pertaining to the applicability or exemption status for batch processes under 30 TAC 115.160-169 (Subchapter B, division 6). Process vents associated with B52 are identified as being subject to Reg 5 vent Gas Control

Requirements under SubchapterB, Division 2.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

Description: Failure to re-monitor and report the repair of a leaking valve and relief valve on the Title V deviation report for the period of October 19, 2007 through April 18, 2008. The fugitive re-monitoring was completed one day late.

Notice of Intent Date: 07/02/2009 (762304)

No DOV Associated

Notice of Intent Date: 07/13/2009 (763446)

Disclosure Date: 07/13/2010

Viol. Classification: Moderate

Rqmt Prov: PERMIT Special Conditions 2F and 2M

Description: There were 2 valves and 12 connectors within the B-5200 truck loading rack in acetone service that have not been monitored as required under the air permit for 28MID and 28CNTQ.

Notice of Intent Date: 07/17/2009 (764099)

Disclosure Date: 10/01/2009

Viol. Classification: Moderate

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT BB 265.1057(a)

Description: Failure to include the lab waste dempster, DTA-1, in the current fugitive monitoring program.

Notice of Intent Date: 07/16/2009 (764103)

No DOV Associated

Notice of Intent Date: 07/16/2009 (974995)

No DOV Associated

Notice of Intent Date: 07/23/2009 (764096)

Disclosure Date: 07/26/2010

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(2)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)

Description: Failure to label and/or dispose of containers and drums.

Notice of Intent Date: 07/22/2009 (764098)

Disclosure Date: 09/16/2010

Viol. Classification: Moderate

Rqmt Prov: PERMIT Condition 7(h)

Description: Failure to continuously record all monitoring data. Specifically, a loss of recorded data was observed in the F-210, FTB-603, and the B-901/902/903 operating records.

Notice of Intent Date: 07/28/2009 (764976)

Disclosure Date: 08/02/2010

Viol. Classification: Moderate

Citation: 40 CFR Chapter 136, SubChapter D, PT 136 136.1

Rqmt Prov: PERMIT TPDES Permit No. WQ0000007000

Description: Failure to reflect the current analytical personnel that could perform regulated analyses to support the site Texas Pollutant Discharge Elimination System Permit.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT B 262.20(a)(1)

Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to keep correct and required information for waste manifests.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.72(d)(1)

Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to locate manifest to determine the disposition of four rejected waste drums.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34

Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to dispose waste containers that were past the permitted accumulation date.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter C 335.67

Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to adequately label containers.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter T 106.452

Description: Failure to document how emissions from a grit blaster located in the landfill maintenance area are authorized.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175

Description: Failure to store a pallet of 4 drums of closed, labeled ferric sulfate residue wastes in proper location.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Rqmt Prov: PERMIT HW 50161-001Permit

Description: Failure to properly label and store a drum of methylene chloride.

Viol. Classification: Moderate

Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to label a partially full drum of clean sawdust located within a satellite container storage area.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT D 264.54(d)

Description: Failure to update personnel list in the Waste Water Treatment Plant RCRA Contingency Plan.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT C 265.35

Description: Failure to store hazardous waste containers with the required storage space between containers to facilitate required inspections.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.173

40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175

Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to store four drums of hazardous waste in designated storage area. One of four hazardous drums was uncovered.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)

Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to label waste trailer in the <90 day container storage area with accumulation start date.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Rqmt Prov: PERMIT HW 50161-001 Permit

Description: Failure to list container storage areas in the facility's notice of registration.

Viol. Classification: Moderate

Rqmt Prov: PERMIT HW 50601-001 Permit

Description: Failure to properly store waste containers in satellite accumulation area.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.15(d)

Description: Failure to communicate expectation of legible signature on all compliance documents to all Environmental Operations personnel.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1(a)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(1)(i)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1363(a)

40 CFR Part 63, Subpart H 63.163

40 CFR Part 63, Subpart H 63.164

40 CFR Part 63, Subpart H 63.165

40 CFR Part 63, Subpart H 63.166

40 CFR Part 63, Subpart H 63.167

40 CFR Part 63, Subpart H 63.168

40 CFR Part 63, Subpart H 63.169

40 CFR Part 63, Subpart H 63.170

40 CFR Part 63, Subpart H 63.171

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.172

40 CFR Part 63, Subpart H 63.173

40 CFR Part 63, Subpart H 63.174

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT DD 63.691(b)

Rqmt Prov: PERMIT HW #50161-001 X.B.2.g.

PERMIT NSR permit #46428 SC#6

Description: Failure to meet leak detection requirements for 181 valves, 910 connectors, 5 pumps, 15 pressure relief devices and 7 agitators throughout the B33, B34, B35 process areas.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 122, SubChapter D, PT 122, SubPT B 122.26

Rqmt Prov: PERMIT TPDES Permit No. WQ0000007000

Description: Failure to conduct 10 of 13 weekly visual inspections on the correct day as required by the Storm Water Pollution Prevention Plan for Chlorine 7 project.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 122, SubChapter D, PT 122, SubPT B 122.26

Rqmt Prov: PERMIT TPDES permit No. WQ0000007000

Description: Failure to update the erosion controls drawing in the Storm Water Pollution Prevention Plan for the Chlorine 7 project and the revision sheet with amended Drainage Ditch Plan.

Notice of Intent Date: 07/30/2009 (765501)

Disclosure Date: 08/25/2010

Viol. Classification: Moderate

Citation: 40 CFR Part 63, Subpart OO 63.904

Description: Water scrubbers S-1000 and S-1 are not able to maintain the minimum pH as established during a performance test.

Notice of Intent Date: 08/21/2009 (762243)

No DOV Associated

Notice of Intent Date: 08/26/2009 (776290)

No DOV Associated

Notice of Intent Date: 09/01/2009 (776285)

Disclosure Date: 09/18/2009

Viol. Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)

Rqmt Prov: PERMIT Operating Permit O-02204

Description: Failure to document visible emission observations of stationary source OCSU5GE500 (FIN) since the Title V permit was issued on February 28, 2005.

Notice of Intent Date: 09/08/2009 (776284)

No DOV Associated

Notice of Intent Date: 09/14/2009 (777729)

Disclosure Date: 05/12/2010

Viol. Classification: Moderate

Rqmt Prov: PERMIT Special Condition No. 3

Description: Failure to perform or document visible emission observations of the following stationary sources: A12SIGE12; B1SIGE13; B12SIGE12; B2SIGE280; OC7SIGE704.

Notice of Intent Date: 10/02/2009 (779123)

No DOV Associated

Notice of Intent Date: 10/07/2009 (782753)

No DOV Associated

Notice of Intent Date: 10/07/2009 (782760)

Disclosure Date: 10/11/2010

Viol. Classification: Moderate

Rqmt Prov: OP O-02202

OP O-02207

OP O-02211

OP O-02215

OP O-02216

OP O-02217

Description: Failure to perform and/or document visible emission observations within various units at the Polyethylene 3, Polyethylene 4, Unit 2, Versene, Environmental Operations, Phenol/Acetone/Diphenyl Oxide, Marine/Terminal, and Voranol Plants.

Notice of Intent Date: 10/14/2009 (782924)

Disclosure Date: 02/04/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)  
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)

Description: Tank V-615 is subject to 40 CFR 63 Subpart EEEE but it has not met the Subpart EEEE requirements.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit 22072 Special Condition 9

Description: Maintenance Startup and Shutdown special condition 9 of Permit Number 22072 have not been met due to safety concerns with sampling flows routed to a flare.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.226(1)

Description: Records of the identification number and date of the last leak testing of each tank-truck tank from which gasoline was transferred to the facility have not been kept for the required 5 year retention period.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)  
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)

Description: Loading rack BSRSTLT1 is listed in the annual Reg 5 Loading Report as being subject to the overall 90% control plan for the site. However, this loading rack was not in the Title V permit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)

Rqmt Prov: PERMIT Periodic Monitoring

Description: Inspection records did not contain all necessary information from the monthly visual inspections of the following cold solvent cleaners, BSRSRSC01 and BSRSRSC301.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit 22072 Special Condition 5

Description: Failure to consistently utilize a VOC instrument detector to direct the repair of components subject to a 28MID LDAR condition.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit 22072 Special Conditions 5&6

Description: 1529 connectors (including DTM connectors in ethylene service) were monitored annual instead of quarterly as required.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)(A)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(C)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(D)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(E)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(F)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(G)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(I)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(J)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(K)  
30 TAC Chapter 101, SubChapter F 101.201(b)(2)(L)

Description: Records of non-reportable emission events did not include all information required by 30 TAC 101.201(b)(2).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.213(b)(3)  
30 TAC Chapter 122, SubChapter B 122.132(e)  
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)

Description: Failure to update the site VOC Loading control plan when the TVP of the material loaded at Load Rack BSRRLR615 rose above 0.5 psia.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.136

30 TAC Chapter 122, SubChapter B 122.132(e)  
40 CFR Chapter 70, SubChapter C, PT 70.70.5(c)(4)

Description: Failure to maintain documentation to demonstrate the separator D-626 was in compliance with control criteria in Ch. 115 for VOC/Water Separators.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)  
40 CFR Chapter 70, SubChapter C, PT 70.70.5(c)

Rqmt Prov: PERMIT Special Condition III

Description: A dry abrasive cleaner system authorized by PBR 106.452 was not represented in the Title V permit O-02212 and was not observed for quarterly visible emissions.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)

Description: Failure to comply with the monitoring plan for a pressure relief device on C-20 compressor.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)

Description: Quarterly inspections of the pressure relief valves on C-20 and associated monitoring systems were not performed.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)

Description: An extraordinary repair attempt was not made before placing HRVOC components on delay of repair, and there was not documentation of a safety, mechanical or environmental justification.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(c)(3)(ii)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(2)

Description: The annual report required by paragraph 61.357(d)(2) did not include V-6 15 waste material in a table which identified each waste stream that was chosen for exemption. The table also recorded the total annual benzene quantity in each of those exempted streams.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(f)

Description: Failure to include a notice with each off-site waste shipment to notify the receiver that the material contained benzene.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(f)(2)

Description: Did not generate and maintain engineering calculations for the carbon adsorption system used to comply with Benzene FF.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.121

Description: While a monitoring plan for groundwater exists, it did not reflect the methane aeration system and updated with other requirements.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 285, SubChapter D 285.34(e)

Description: Based on the licensed plumber assessments, the holding tanks do not meet the requirements as specified in 30 TAC 285.

Viol. Classification: Moderate

Rqmt Prov: PERMIT TPDES WQ004439000 Condition 5

Description: Inspections to determine effectiveness of the Good Housekeeping Measures, Spill Prevention and Response Measures, Best Management Practices and Employee Training Program were not completed quarterly.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(p)(2)

Description: Salt Dome Operations has not provided TCEQ with an annual written list of all the operators and operating companies that the public water system employees.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(s)(1)

Description: The flow measuring devices and rate of flow controllers were not calibrated every 12 months and well meters were not calibrated every three years.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.43(b)(1)

Description: The ground storage tank used to aerate methane is not located 500 feet or more away from any land that is spray irrigated with treated sewage effluent or sludge disposal.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(2)  
30 TAC Chapter 290, SubChapter D 290.43(c)(3)

Description: The ground storage tanks used for methane aeration for both PWS ID 0200530 and 0200534 do not have overflows as required nor proper openings.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)

Description: Failure to inspect the potable water system tanks according to all of the requirements in 30 TAC 290.46(m) (I)(A-C).

Notice of Intent Date: 10/27/2009 (748465)  
No DOV Associated

Notice of Intent Date: 11/10/2009 (794164)  
No DOV Associated

Notice of Intent Date: 11/13/2009 (794815)  
Disclosure Date: 11/03/2010

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34

Description: Failure to properly manage and dispose of hazardous waste containers.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 273, SubChapter I, PT 273, SubPT A 273.1

Description: Failure to properly label and store universal waste. Specifically, waste fluorescent light bulbs were found in the Maintenance buildings. The bulbs were not in closed containment or labeled appropriately with the universal waste label.

Notice of Intent Date: 11/20/2009 (794361)  
Disclosure Date: 11/19/2010

Viol. Classification: Moderate

Citation: 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73

Description: Failure to properly maintain mechanical integrity of instruments.

Notice of Intent Date: 11/24/2009 (794384)  
Disclosure Date: 11/22/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT Special Condition 1

Description: Failure to obtain the proper authorizations for site emissions. Specifically, emissions from the M-3 finishing column to the seal leg are not authorized by TCEQ NSR Air Permit No. 5339.

Notice of Intent Date: 12/04/2009 (787544)  
No DOV Associated

Notice of Intent Date: 01/14/2010 (794380)  
Disclosure Date: 09/13/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.243-2(b)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Description: Failure to identify 130 valves and 347 connectors that were not monitored under a prescribed Lead Detection and Repair Program.

Notice of Intent Date: 01/18/2010 (794383)  
No DOV Associated

Notice of Intent Date: 02/05/2010 (797639)  
No DOV Associated

Notice of Intent Date: 02/16/2010 (797641)  
No DOV Associated

Notice of Intent Date: 02/18/2010 (797644)  
No DOV Associated

Notice of Intent Date: 02/19/2010 (797657)  
No DOV Associated

Notice of Intent Date: 02/19/2010 (797662)  
No DOV Associated

Notice of Intent Date: 03/01/2010 (798594)



No DOV Associated

Notice of Intent Date: 03/12/2010 (798597)

Disclosure Date: 07/09/2010

Viol. Classification: Major

Citation: 30 TAC Chapter 335, SubChapter F 335.151

Rqmt Prov: PERMIT Section IV Part B Subsection 3(f)

Description: Failure to properly dispose of medical waste according to Hazardous Waste Permit 50161.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.16(c)

Description: Failure for all employees to complete training.

Viol. Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: Failure to remove all items that should be removed from the NOR.

Viol. Classification: Minor

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.174

Description: Failure to have all weekly inspections of less than 90 day container storage areas.

Viol. Classification: Minor

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.195(c)

Description: Failure to provide all daily inspections of hazardous waste storage tanks.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.151

Rqmt Prov: PERMIT Section V.A.B. Container Storage areas

Description: Failure to remove stored hazardous waste from a permitted storage area after 1 year.

Viol. Classification: Minor

Citation: 40 CFR Chapter 271, SubChapter I, PT 271, SubPT A 271.16(e)

Description: Failure to keep training records for all employees for the life of the facility plus 5 years.

Notice of Intent Date: 03/09/2010 (798600)

No DOV Associated

Notice of Intent Date: 03/08/2010 (798627)

No DOV Associated

Notice of Intent Date: 03/12/2010 (798632)

No DOV Associated

Notice of Intent Date: 03/15/2010 (798500)

Disclosure Date: 02/21/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter D 106.124

Description: Failed to operate plant scrubber D-27 with less than permitted efficiency when treating a vent from an activity authorized by permit by rule. One of the vent pipelines from this activity was incorrectly attached to the scrubber such that vent gas from this pipeline did not fully contact the scrubbing medium as intended by the design.

Notice of Intent Date: 03/26/2010 (800833)

No DOV Associated

Notice of Intent Date: 03/25/2010 (944780)

Disclosure Date: 03/29/2011

Viol. Classification: Minor

Rqmt Prov: PERMIT Special Condition 8E and 8G

Description: Failure to consistently record the date and time of the audio/visual/olfactory inspections for components in heavy liquid VOC service.

Viol. Classification: Minor

Rqmt Prov: PERMIT Special Condition 8G

Description: Failure to include the monthly summary record for Tank D-108 within the monthly emission record for all storage tanks and loading operations.

Notice of Intent Date: 03/31/2010 (800749)

No DOV Associated

Notice of Intent Date: 04/05/2010 (800702)

No DOV Associated

Notice of Intent Date: 04/16/2010 (800774)

Disclosure Date: 04/12/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter H 115.781(b)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-7(a)

Rqmt Prov: PERMIT Special Condition 5

Description: Failure to conduct monitoring under a prescribed leak detection and repair program for 57 valves and 211 connectors.

Viol. Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.146(1)

Description: Failure to submit Annual Certification of Federal Operating Permit O-02212 for the time period beginning July 7, 2009 and ending August 4, 2009.

Notice of Intent Date: 04/15/2010 (800792)

No DOV Associated

Notice of Intent Date: 04/19/2010 (800794)

Disclosure Date: 04/25/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: PERMIT S.C. 13

OP S.C. 20

Description: Failure to maintain appropriate control devices to prevent unauthorized emissions from control valves.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT S.C. 17

Description: Failure to document stack sampling and other testing required to demonstrate compliance with NOx emission limits.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.116

Description: Failure to provide a complete VOC speciation in the permit application for the thermal heat recovery oxidizer (EPN A16S1).

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Part 63, Subpart H 63.168

40 CFR Part 63, Subpart H 63.174

Rqmt Prov: PERMIT S.C. 12

PERMIT S.C. 13

Description: Failure to include 36 valves, 156 connectors and 3 relief valves to the fugitive monitoring program as part of a prescribed Leak Detection and Repair Program and failure to monitor these components.

Viol. Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: Failure to maintain the Notice of Registration (NOR), specifically, not all items that should be removed from the NOR have been removed.

Notice of Intent Date: 04/26/2010 (826936)

Disclosure Date: 03/21/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 19041, SC 16B

Description: Failed to maintain records of the continuous fire box temperatures defined as 6 minute data for the thermal oxidizers.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 19041, SC 16C3

Description: Failed to keep records of continuous vent flow rates and analyzer excess oxygen levels, as defined as 6 minute data, for the thermal oxidizers.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(4)  
30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)

Description: Failed to locate the monitoring plan for Pressure Safety Valves in HRVOC service. No evidence of performance of the quarterly inspections for Pressure Safety Valves in HRVOC service was available.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 106, SubChapter A 106.8(c)(1)

Description: Failed to produce documentation authorizing four diesel engines and four associated diesel tanks. Engine FINS: OC5U5GE500, OC1U1GE12, OC1U1GE500, A70ECGE503. Associated Diesel Tank FINS: OC5U5ST500, OC1U1ST12, OC1I1ST500, A70ECST503.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2343(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2396(e)(2)

Description: Failed to identify one unloading operation in the original Notice of Compliance Status for the Organic Liquids Distribution (OLD) MACT. The EDC/VCM Unit 1 facility was not identified in the OLD MACT.

Viol. Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115  
Rqmt Prov: PERMIT NSR Permit No. 19041, SC 20  
PERMIT NSR Permit No. 941, SC 5

Description: Failed to monitor a total of nine fugitive components: OC5FU1 (one component), OC5FU2 (4 components), OC5FU7 (1 component), OC5FU4 (3 components).

Notice of Intent Date: 04/26/2010 (826940)  
No DOV Associated

Notice of Intent Date: 05/03/2010 (826921)  
No DOV Associated

Notice of Intent Date: 05/07/2010 (826930)  
No DOV Associated

Notice of Intent Date: 05/04/2010 (826948)  
Disclosure Date: 10/25/2010  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)

Description: Failure to conduct annual Method 21 monitoring of two connectors in Light Liquid service due to incorrect classification as Difficult to Monitor.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.104(b)(1)

Description: Failure to ensure the carbon monoxide hourly rolling average (CO HRA) does not exceed the 100 parts per million (ppm) limit while hazardous waste is in the combustion chamber.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(iii)

Description: Failure to ensure hazardous waste is not introduced into the combustion chamber while the CO HRA is above the 100 ppm limit.

Notice of Intent Date: 05/13/2010 (826950)  
Disclosure Date: 11/12/2010  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(B)(v)  
30 TAC Chapter 290, SubChapter D 290.46(s)(2)(C)(i)

Description: The manual disinfectant residual analyzers have not been checked with standard solutions and calibration records for manual disinfectant residual analyzer, continuous residual analyzer, and well meter calibration records have not been maintained. Plant A, Plant B, and Stratton Ridge (Salt Domes 3,4,7,8,9).

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)(1)

Description: The ground storage and pressure tanks have not been inspected according to all 30TAC290.46(m)(1) required items in annual storage tank inspections. Plant A, Plant B, and Oyster Creek. Note: See Investigation No. 1078415 for Oyster Creek.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(E)(i)

Description: Flow data has not been accurately recorded for 2008-2010 to reflect the information specified in TCEQ monthly operating report form 0811. At Stratton Ridge, daily flow rates have been recorded; however, information has not been recorded in format similar to the GW-MOR, TCEQ form 0811. Plant A, Plant B, and Stratton Ridge (Salt Domes 3,4,7,8,9).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(E)(ii)

Description: Some chemical analyses results have not been maintained for the 10 year retention period. Plant A, Plant B, Oyster Creek, and Stratton Ridge (Salt Domes 3,4,7,8,9). Note: See Investigation No. 1078415 for Oyster Creek.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(3)(E)(iii)

Description: Records of previous TCEQ inspections/sanitary surveys have not been maintained. Plant A, Plant B, Oyster Creek, and Stratton Ridge (Salt Domes 3,4,7,8,9). Note: See Investigation No. 1078415 for Oyster Creek.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.121

Description: The monitoring plan has not been updated to reflect conversion from surface water to purchased water/groundwater system and conversion to chloramines. The monitoring plan does not contain all information required by 30TAC290.121. Plant A, Plant B, and Oyster Creek. Note: See Investigation No. 1078415 for Oyster Creek.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(J)

Description: Plant A: Wells #2 and #18 sealing blocks were not constructed to extend 3 feet from casing in all directions. Well #2 was constructed in 1940 and well #18 was constructed in 1950. Plant B: Well #I sealing block was not constructed to extend 3 feet from casing in all directions. Well #I was constructed in 1942.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)

30 TAC Chapter 290, SubChapter D 290.42(m)

Description: Security fencing not constructed as required. Plant A: Security fencing was not constructed at wells #2 and #18. Plant B: Security fencing was not constructed at well #I. Oyster Creek: Security fencing was not constructed at five water wells (#23, #24, #26, #27, and #28). Note: See Investigation No. 1078415 for Oyster Creek.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)

Description: An Operations Manual has not been maintained in accordance with 30TAC290.42(l). Plant A and B.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.43(e)

Description: Security fencing not constructed as required. (Plant A) Security fencing was not constructed at pressure tank V A-2508. (Oyster Creek) Security fencing was not constructed at two treatment/storage tank areas (TK-1909 and TK-VIA). Note: See Investigation No. 1078415 for Oyster Creek.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.46(p)(2)

Description: An annual list of operators has not been provided to the TCEQ. Plant A, Plant B, and Oyster Creek. Note: See Investigation No. 1078415 for Oyster Creek.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)

30 TAC Chapter 290, SubChapter D 290.46(u)

Description: Abandoned wells for Plant A, Plant B, and Oyster Creek. Historical documents show wells classified as unknown. Note: See Investigation No. 1078415 for Oyster Creek.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(m)(2)

Description: For Plant B only: Complete analytical records of lead/copper sampling were not maintained.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(5)

Description: For Stratton Ridge (Salt Domes 3,4,7,8,9) only: Bleach container was not completely covered at top near pump suction for system 0200531.

Notice of Intent Date: 05/26/2010 (826923)

Disclosure Date: 05/05/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

Rqmt Prov: PERMIT Special Condition 1

Description: Failure to meet the hourly rate and yearly emission limits for additive vessels V411 and V412 as listed in the Maximum Allowable Emission Rates Table.

Notice of Intent Date: 06/01/2010 (826916)

No DOV Associated

Notice of Intent Date: 06/03/2010 (846000)

Disclosure Date: 06/08/2011

Viol. Classification: Minor

Rqmt Prov: PERMIT NSR Permit Special condition I-13

Description: Failure to complete MSS recordkeeping for EPN B52MSS1 EPN B39MSS1.

Viol. Classification: Moderate

Rqmt Prov: PERMIT NSR General Condition 2 and 40 CFR 63

Description: Failure to monitor 26 components, which is approximately 0.05% of total components subject to fugitive monitoring.

Notice of Intent Date: 06/10/2010 (827965)

No DOV Associated

Notice of Intent Date: 06/24/2010 (841010)

No DOV Associated

Notice of Intent Date: 07/12/2010 (841127)

No DOV Associated

Notice of Intent Date: 07/23/2010 (843903)

Disclosure Date: 06/22/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(f)(2)

Description: Failure to include appropriate off-site notification during 2006-2010 for containers subject to 40 CFR 61 Subpart FF (NESHAP FF) that were sent off-site.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter A 115.10

Description: Failure to include appropriate off-site notification during 2006-2010 for containers subject to 40 CFR 63 Subpart XX (as referenced by 40 CFR 63 YY (Ethylene MACT)) that were sent off-site.

Viol. Classification: Major

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1100

Description: Failure to submit a certification letter to TCEQ stating that the Texas Operations Kiln will receive and treat waste subject to 40 CFR 63 Subpart XX [as referenced by 40 CFR 63 Subpart YY(Ethylene MACT)] in accordance with the applicable requirements.

Notice of Intent Date: 07/28/2010 (848864)

No DOV Associated

Notice of Intent Date: 07/29/2010 (848881)

Disclosure Date: 02/24/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT Special Condition 14

Description: Failure to ensure adequate monitoring of carbon canisters. Specifically, 16 of 20 monthly carbon canister analyses performed to determine breakthrough of the initial carbon canister showed elevated levels of VOC. This is being reported as an exceedance of the MAERT limit for the EPN B15CBM3.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter A 115.10

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162

Rqmt Prov: PERMIT Special Conditions 8&9

Description: Failure to monitor all valves and connectors under a prescribed Leak Detection and Repair Program.

Notice of Intent Date: 08/04/2010 (849288)

No DOV Associated

Notice of Intent Date: 08/04/2010 (849315)

Disclosure Date: 08/03/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT Special Condition 17

PERMIT Special Condition I-12

Description: Failure to prevent emissions from EPG Process Tank D-753.

Notice of Intent Date: 08/12/2010 (860736)

Disclosure Date: 07/15/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6

Description: Failure to include Sumps containing waste water in the RCRA Notice of Registration.

Notice of Intent Date: 08/13/2010 (860742)

Disclosure Date: 10/22/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(i)

Rqmt Prov: PERMIT HW-050161-001

PERMIT Permit O--2208

Description: Process control code allowed AWFCO logic to be disabled when waste feeds were manually ramped off.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(iii)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)(iii)(A)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)(iii)(B)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)(iii)(A)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)(iii)(B)

Rqmt Prov: PERMIT HW-50161-001

PERMIT Title V Permit

Description: Failure to properly update the process control code which resulted in MRA and HRA calculations to be zeroed when hazardous waste feeds were off the boiler. This also resulted in HRA calculations that were incorrect for the first 59 minutes after hazardous waste was introduced back into the combustion unit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.620

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(iii)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)(iii)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)(iii)(A)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(a)(6)(iii)(B)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)(iii)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)(iii)(A)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(b)(5)(iii)(B)

Description: Failure to properly update the process control code which resulted in MRA and HRA calculations to be set equal to the instantaneous instrument reading when hazardous waste feeds were off the boiler. This also resulted in HRA calculations that were incorrect for the first 59 minutes after hazardous waste was introduced back into the combustion unit.

Notice of Intent Date: 08/13/2010 (860747)

Disclosure Date: 10/26/2010

Viol. Classification: Moderate

Citation: 40 CFR Part 60, Subpart VV 60.482-10

40 CFR Part 60, Subpart VV 60.482-2

40 CFR Part 60, Subpart VV 60.482-4

Rqmt Prov: PERMIT Special Condition 11

PERMIT Special Condition 3 and 4A

Description: Failure to properly maintain records. Specifically, records were not maintained for inspection of the pressure relief valves and monitoring systems; records for the AVO inspection of pumps, agitator seals and connectors; and records for the visual inspection of the closed vent system hammer blind and car seal.

Notice of Intent Date: 08/10/2010 (860754)

Disclosure Date: 10/05/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(2)

30 TAC Chapter 115, SubChapter B 115.126(1)(A)(i)

30 TAC Chapter 115, SubChapter H 115.781(e)

Description: Failed to adequately keep records: 1. Recordable emission event records were incomplete. 2. Continuous monitoring records were not being maintained for the B4010 S910 TOX during 2007 and 2008. 3. Records of weekly pump, compressor, and agitator seal inspections were not being maintained.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)

Description: Failed to apply extraordinary repair requirements for valves in HRVOC service prior to placing HRVOC valves in Delay of Repair.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)

Description: Failed to place one connector on Delay of Repair without documenting a first attempt to repair.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)  
Description: Failed to maintain documentation. Documentation of HRVOC vent gas compliance demonstration for the B4010 S910 TOX was not maintained.  
Viol. Classification: Major  
Citation: 30 TAC Chapter 106, SubChapter A 106.4  
30 TAC Chapter 106, SubChapter A 106.8(c)(1)  
Description: Documentation of permit by rule claim was missing for vessel D-611.  
Notice of Intent Date: 08/10/2010 (863643)  
No DOV Associated

Notice of Intent Date: 08/23/2010 (860731)  
Disclosure Date: 09/13/2010  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(l)  
Description: Failed to submit NSPS RRR semiannual reports after the October 2005 report. Dow relied on 40 CFR 63 Subpart YY to supercede NSPS RRR. Ethylene MACT does not supercede NSPS RRR for vent gas streams routed to a fuel gas system.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.700(c)(5)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(r)  
Description: Failed to submit a process design description for vent gas streams, as part of the initial report, as required by 40 CFR 60.700(c)(5) and 60.705(r). The vent gas streams from affected facilities are routed to distillation unit(s) that are subject to NSPS NNN and have no other releases to air except for pressure relief valves.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.660(b)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(l)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)  
Description: Failed to submit NSPS NNN initial notifications or semiannual reports for any of the distillation units at LHC-8.  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(3)  
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)  
40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)(4)  
Description: Failed to supply accurate information with the Title V application for determination of the NSPS NNN applicable requirements for these units: distillation units, LHC-8 furnaces and flares FS-1, FS-1018 and FX-1000.  
Viol. Classification: Minor  
Citation: 40 CFR Part 60, Subpart NNN 60.662  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.662(b)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.702  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.702(b)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8(a)  
Description: Failed to run performance tests within the specified timeframe and/or run performance tests under maximum production rates  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(b)(2)(i)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(l)  
Description: Failed to implement NSPS RRR. This includes, but is not limited to the following requirements: 1. No notification was submitted for the date construction commenced or for initial startup. 2. No notification was submitted in accordance with 40 CFR 60.705(a) indicating which of the specific provisions of 40 CFR 60.702 (a), (b), or (c) were being followed. 3. No report was initially submitted in accordance with 40 CFR 60.705(b)(2)(i) describing the location at which the vent stream is...

Notice of Intent Date: 08/23/2010 (863510)  
No DOV Associated

Notice of Intent Date: 08/30/2010 (870180)  
Disclosure Date: 10/26/2010

Viol. Classification: Major  
Citation: 30 TAC Chapter 116, SubChapter B 116.115  
Rqmt Prov: PERMIT Special Condition 1  
PERMIT Special Conditon 11

Description: Failure to maintain compliance with the annual throughput of solvent mixture loaded in the tank trucks.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115  
Rqmt Prov: PERMIT Sepcial Condition 1  
PERMIT Special Condition 11

Description: Failure to maintain compliance with the annual throughput of solvent tanks T-16A.

Notice of Intent Date: 08/30/2010 (870184)  
No DOV Associated

Notice of Intent Date: 09/10/2010 (870173)

Disclosure Date: 04/21/2011

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
40 CFR Part 63, Subpart H 63.165  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2480  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT DD 63.691(b)(2)  
Rqmt Prov: PERMIT HW50161, Section X  
PERMIT NSR Permit No. 20909  
PERMIT NSR Permit No. 313  
PERMIT NSR Permit No. 46428

PERMIT Title V Permit No. 02211

Description: Failed to include some pressure relief devices in the fugitive monitoring program: 1 at the B-35 Wastewater Treatment Plant, 6 at the B-3400 SOHO/FTO, 2 at the B-8 Thermal Oxidizer, and 6 at the B-33 Kiln.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 68, SubChapter C, PT 68, SubPT D 68.73(d)(4)  
Rqmt Prov: PERMIT Title V Permit No. 02211

Description: Failed to provide records of inspections on pressure relief devices for the B-34 SOHO and B-33 Kiln areas.

Notice of Intent Date: 09/17/2010 (870168)  
No DOV Associated

Notice of Intent Date: 09/14/2010 (870178)

Disclosure Date: 04/24/2011

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 115, SubChapter D 115.354(11)  
30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
30 TAC Chapter 115, SubChapter D 115.354(3)  
30 TAC Chapter 115, SubChapter H 115.781(b)(3)  
30 TAC Chapter 115, SubChapter H 115.781(b)(8)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(a)(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)  
40 CFR Part 63, Subpart H 63.174  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(iii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(iv)



40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)(v)

Rqmt Prov: PERMIT Special Condition 2, 28 MID F&I

PERMIT Special Condition 2, 28 MID(G)

PERMIT Special Condition 2, 28 MID(H)

Description: Failure to monitor or/and report 668 Connectors, 3 Pumps, 210 Valves and 2 Relief Devices or include the emission calculations beginning January 9, 1998.

Notice of Intent Date: 09/29/2010 (870187)

Disclosure Date: 09/21/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(A)

30 TAC Chapter 115, SubChapter E 115.412(1)(B)

30 TAC Chapter 115, SubChapter E 115.412(1)(C)

30 TAC Chapter 115, SubChapter E 115.412(1)(D)

30 TAC Chapter 115, SubChapter E 115.412(1)(E)

30 TAC Chapter 115, SubChapter E 115.412(1)(F)

Description: Failure to complete or document the visual monthly inspections of the solvent degreaser (FIN: B1RRSC127) located at B-127.

Notice of Intent Date: 10/04/2010 (873276)

Disclosure Date: 02/07/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(b)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(b)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(b)(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(c)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(c)(2)(i)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(c)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022(c)(4)

Description: Failed to keep general and specific equipment identification records for fugitives, as required.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(g)(5)(iii)

Description: Failed to submit engineering calculations, for process vent emissions occurring from R-505 during startup, shutdown, and malfunction that are controlled by the FS-1 Flare, to substantiate that the flare meets the applicable heat content or flow rates during worst case conditions (e.g. - maximum operating conditions). The other option, to submit data from a compliance assessment that the flare is in compliance under worst case conditions, was also not submitted.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(g)(5)(i)

Description: Failed to designate specific components in > 5% HCN service (for more than 300 hours per year) as never being safe to monitor with the Notification of Compliance Status, and is not currently monitoring such equipment. Did not certify that monitoring such equipment at any time the CCMPU is operating is never safe.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1039(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1110(d)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1110(f)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.999(b)

Description: Failed to submit the Notification of Compliance Status for 40 CFR 63 Subpart YY by the earlier of 240 days after the compliance date or 60 days after completion of the initial performance test or initial compliance assessment.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1039(b)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1110(e)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1110(f)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.999(c)

Description: Failed to submit Periodic Reports for 40 CFR 63 Subpart YY (and the referenced subparts SS/UU). The first Periodic Report was due November 30, 2006 for the period March 9, 2006 - September 30, 2006.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1111(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.998(d)(3)(i)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.998(d)(3)(ii)

Description: Relative to the R-505 diversion to FS-1 during Startup, Shutdown and Maintenance (SSM) scenarios, failed to produce the SSM Plan and corresponding SSM records for Cyanide MACT purposes prior to the MON compliance date (e.g. between July 12, 2005 - May 10, 2008).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1109(d)

Description: Failed to maintain records containing information developed and used to assess control applicability under 40 CFR 63.1103 (e.g. combined total annual emissions of regulated organic HAP).

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1103(g)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1106(b)

Description: Maintenance wastewater plan was unavailable prior to MON compliance date. The current maintenance wastewater plan for MON is possibly insufficient to cover all maintenance wastewater activates associated with the Cyanide MACT process.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)

40 CFR Chapter 70, SubChapter C, PT 70 70.5(c)

Description: Failed to include 40 CFR 63 Subpart YY as an applicable regulation in the Title V Permit No. O-02220. The permit shield indicates that the process unit is not a cyanide chemical manufacturing source per 40 CFR 63.1103(g)(2).

Notice of Intent Date: 10/07/2010 (873323)

Disclosure Date: 01/24/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8(a)

Description: Failed to conduct performance testing on two flares at the time the Polypropylene 1 Plant was first started up, as required by 40 CFR § 60.8(a).

Notice of Intent Date: 10/15/2010 (873268)

Disclosure Date: 10/25/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)

Rqmt Prov: OP S.C. 1 Applicable Requirements Summary

Description: Failure to comply with a general condition of the Facility's Title V permit.

Notice of Intent Date: 10/22/2010 (873272)

No DOV Associated

Notice of Intent Date: 10/22/2010 (873274)

Disclosure Date: 04/12/2011

Viol. Classification: Minor

Citation: 4F TWC Chapter 63, SubChapter A 63.181

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)

Description: Failure to keep records of the weekly inspections for 11 pumps subject to the OLD MACT, 40 CFR 63 Subpart EEEE.

Viol. Classification: Minor

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(g)

Description: Failure to perform quarterly visual inspections and the documentation for the 4th quarter of 2007, 2nd quarter of 2007, and 2nd quarter of 2008.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to update corrective actions for the applicable leak detection and repair rules that are used to manage fugitive monitoring at the site.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310

30 TAC Chapter 117, SubChapter B 117.345

Description: Failure to keep records of start and end times during testing and maintenance for the fire pumps A-4006 and A2210 along with total hours of operation each month.

Viol. Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110

Description: Failure to obtain NSR authorization for the A-28 Drumming facility (FIN A28PDL4, EPN A28DL4).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include all required emission points in the air emission inventory report.

Viol. Classification: Major

Citation: 30 TAC Chapter 122, SubChapter B 122.134

Description: Failure to include several facilities into the application for the Title V permit O-02217.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.354

Description: Failure to complete the final NOx Control Plan submitted March 31, 2005, not all facilities within the scope of Title V Permit O-02217 were included.

Viol. Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152

Description: Failure to document or maintain records of weekly RCRA area safety equipment inspections for two years.

Disclosure Date: 04/13/2011

Viol. Classification: Minor

Citation: 4F TWC Chapter 63, SubChapter A 63.181

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)

Description: Failure to keep records of the weekly inspections for 11 pumps subject to the OLD MACT, 40 CFR 63 Subpart EEEE.

Viol. Classification: Minor

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(g)

Description: Failure to perform quarterly visual inspections and the documentation for the 4th quarter of 2007, 2nd quarter of 2007, and 2nd quarter of 2008.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to update corrective actions for the applicable leak detection and repair rules that are used to manage fugitive monitoring at the site.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310

30 TAC Chapter 117, SubChapter B 117.345

Description: Failure to keep records of start and end times during testing and maintenance for the fire pumps A-4006 and A2210 along with total hours of operation each month.

Viol. Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110

Description: Failure to obtain NSR authorization for the A-28 Drumming facility (FIN A28PDL4, EPN A28DL4).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include all required emission points in the air emission inventory report.

Viol. Classification: Major

Citation: 30 TAC Chapter 122, SubChapter B 122.134

Description: Failure to include several facilities into the application for the Title V permit O-02217.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.354

Description: Failure to complete the final NOx Control Plan submitted March 31, 2005, not all facilities within the scope of Title V Permit O-02217 were included.

Viol. Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152

Description: Failure to document or maintain records of weekly RCRA area safety equipment inspections for two years.

Disclosure Date: 10/25/2011

Viol. Classification: Minor

Citation: 4F TWC Chapter 63, SubChapter A 63.181

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)

Description: Failure to keep records of the weekly inspections for 11 pumps subject to the OLD MACT, 40 CFR 63 Subpart EEEE.

Viol. Classification: Minor

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345(b)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(g)

Description: Failure to perform quarterly visual inspections and the documentation for the 4th quarter of 2007, 2nd quarter of 2007, and 2nd quarter of 2008.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to update corrective actions for the applicable leak detection and repair rules that are used to manage fugitive monitoring at the site.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.310  
30 TAC Chapter 117, SubChapter B 117.345

Description: Failure to keep records of start and end times during testing and maintenance for the fire pumps A-4006 and A2210 along with total hours of operation each month.

Viol. Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110

Description: Failure to obtain NSR authorization for the A-28 Drumming facility (FIN A28PDL4, EPN A28DL4).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10

Description: Failure to include all required emission points in the air emission inventory report.

Viol. Classification: Major

Citation: 30 TAC Chapter 122, SubChapter B 122.134

Description: Failure to include several facilities into the application for the Title V permit O-02217.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.354

Description: Failure to complete the final NOx Control Plan submitted March 31, 2005, not all facilities within the scope of Title V Permit O-02217 were included.

Viol. Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter F 335.152

Description: Failure to document or maintain records of weekly RCRA area safety equipment inspections for two years.

Notice of Intent Date: 10/27/2010 (870231)

No DOV Associated

Notice of Intent Date: 11/05/2010 (878610)

Disclosure Date: 11/07/2011

Viol. Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 115, SubChapter D 115.355(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1063  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.485(b)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245(b)(3)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(h)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1023(b)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.180(b)(3)

Rqmt Prov: PERMIT Special Conditions No. 13F

OP Special Terms and Conditions No. 6

Description: Failed to conduct daily calibrations. Specifically, fugitive components authorized by multiple NSR permits did not meet the requirements of Method 21 since daily calibrations were not conducted on 36 occasions between January 3, 2008 and December 10, 2010.

Notice of Intent Date: 12/03/2010 (899188)

Disclosure Date: 12/12/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.32  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.173

Description: Failure to properly label and store hazardous waste containers in designated hazardous waste storage areas.

Notice of Intent Date: 12/13/2010 (899196)

No DOV Associated

Notice of Intent Date: 01/04/2011 (892639)

No DOV Associated

Notice of Intent Date: 01/07/2011 (899198)

Disclosure Date: 10/24/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)(3)

Rqmt Prov: OP Special Condition 11  
PERMIT Special Condition 8

Description: Failure to include one connector and inaccurately identify six connectors in the monitoring program as required by the NSR permit and 30 TAC 115.781.

Notice of Intent Date: 01/12/2011 (899983)

Disclosure Date: 11/07/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)

Rqmt Prov: OP Periodic Monitoring

Description: Failure to maintain complete records for inspection of cold solvent cleaner B1MSC105A for the period of November 2009 to July 2010.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)

Description: Failure to maintain quarterly inspections on HRVOC monitoring system.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.726(e)(3)(A)

Description: Failure to meet recordkeeping requirement for the HRVOC vent gas stream.

Viol. Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter T 106.452

Description: Failure to maintain seven enclosed dry abrasive blasters according to the requirements of the permit by rule.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)

30 TAC Chapter 117, SubChapter H 117.9020(2)(A)

Description: Failure to maintain records for runtime meter compliance for 2005-2008 for five (5) Emergency Engines.

Notice of Intent Date: 01/14/2011 (899984)

No DOV Associated

Notice of Intent Date: 01/21/2011 (899992)

No DOV Associated

Notice of Intent Date: 01/24/2011 (899996)

Disclosure Date: 04/21/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(e)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(2)(v)(A)(3)

Rqmt Prov: PERMIT Title V Permit No. 02211

Description: Discrepancies were discovered in the excess emissions report for sets of 10 exceedances of an emission standard or operating requirement while hazardous waste remained in the combustion chamber during a 60-day block period due to the time periods being reviewed for these events. 40 CFR 63.1206(c)(2)(v)(A)(3)(ii) requires for each set of 10 exceedances of an emission standard or operating requirement while hazardous waste remains in the combustion chamber during a 60-day block period, to include

Notice of Intent Date: 01/24/2011 (900001)

Disclosure Date: 04/21/2011

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter F 116.615

Rqmt Prov: PERMIT Title V Permit No. 02211

Description: Failed to have the person responsible sign computerized summaries of monitoring and inspection data (per X.B.I.2.i.3 of RCRA Permit HW -5016 as required by Title V permit 02211).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter F 116.615

Rqmt Prov: PERMIT Title V Permit No. 02211

Description: Failed to take out of service or repair leaking equipment by the end of the next daylight shift, as required by X.B.I.2.h of RCRA Permit HW-50161 and by Title V permit 02211.

Notice of Intent Date: 02/03/2011 (900175)

No DOV Associated

Notice of Intent Date: 02/07/2011 (900178)

No DOV Associated

Notice of Intent Date: 02/10/2011 (900180)

No DOV Associated

Notice of Intent Date: 02/22/2011 (905410)

No DOV Associated

Notice of Intent Date: 02/21/2011 (905414)

Disclosure Date: 02/17/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)

30 TAC Chapter 290, SubChapter D 290.46(u)

Title 16 TAC Chapter 76 76.1000(e)

Description: Failed to plug water wells within six months of abandonment (not used for six consecutive months). The following wells were included in the violation: 318 Slaughter Road/Well No 40; 122 Slaughter Road/Well No 41; 3434 Austin Lane/Well No 39; 3504 Austin Lane/Well No 38; 3226 CR217/Well No 44; Tract 2-3/Well No 45; Tract 7Q/Well No 42; Lot 2A/Well No 28; and CR 217--SLRO/Well No 43.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)

30 TAC Chapter 290, SubChapter D 290.46(u)

Title 16 TAC Chapter 76 76.1000(e)

Description: Failed to plug water wells within six months of abandonment (not used for six consecutive months). The following wells were included in the violation: Hagerman Road Area: 801 Hagerman/Well No. 31; 719 Hagerman/Well No. 22-2; 735 Hagerman/Well No. 21; 210 Hagerman/Well No. 18; 630 Hagerman/Well No. 32; 418 Hagerman/Well No.33; and 214 Hagerman/ Well No. 35.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)

30 TAC Chapter 290, SubChapter D 290.46(u)

Title 16 TAC Chapter 76 76.1000(e)

Description: Failed to plug water wells within six months of abandonment (not used for six consecutive months). The following wells were included in the violation: Hanley Road Area: 606 Exline/Well No. 37; Tract D/Well No.

36; Tract I1(CR 338)/Well No. 16; Tract 1D/Well No. 11; Tract I2/ Well No. 15; 4230 Hanley/Well No. 17-3; 435 Hanley/Well No. 3; 435 Hanley/Well No. 4; Hanley-Lot 3A/Well No. 15; and Hanley-523 Smith (#47).

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)

30 TAC Chapter 290, SubChapter D 290.46(u)

Title 16 TAC Chapter 76 76.1000(e)

Description: Failed to plug water wells within six months of abandonment (not used for six consecutive months). The following wells were included in the violation: Property A-49, BIC Divisions 14, Lots 3,4,5 Block B of the Crescent Heights Subdivision (2103 Frontage Road in Clute, Teas 77541): 2103 Frontage Road/ Well No. FR1; 1903 Crescent Heights Drive/Well No. FR2; and 1903 Crescent Heights Drive/Well No. FR3.

Notice of Intent Date: 02/25/2011 (905418)

No DOV Associated

Notice of Intent Date: 03/01/2011 (905421)

No DOV Associated

Notice of Intent Date: 03/01/2011 (905577)

Disclosure Date: 07/07/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 1472, SC 18

Description: Failed to comply with bottom and/or submerged loading of applicable tank-truck loading and railcar loading as required by NSR Permit No. 1472, Special Condition No. 18.

Notice of Intent Date: 03/08/2011 (906673)

Disclosure Date: 04/24/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)

30 TAC Chapter 115, SubChapter D 115.354(2)(B)

30 TAC Chapter 115, SubChapter D 115.354(2)(C)

30 TAC Chapter 115, SubChapter D 115.354(2)(D)

30 TAC Chapter 115, SubChapter H 115.781(b)(3)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(d)(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(b)(3)

Rqmt Prov: PERMIT NSR Permit No. 20432, Special Conditions  
PERMIT O2208

Description: Failed to monitor 585 Valves, 19 relief devices, 1307 connectors and 16 pumps. These valves, relief devices, connectors and pumps were not monitored and/or not reported or included in the emission calculations beginning January 9, 1998.

Notice of Intent Date: 03/14/2011 (914160)  
No DOV Associated

Notice of Intent Date: 03/24/2011 (914157)  
Disclosure Date: 04/18/2011  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT Special Conditions No. 4

Description: Failed to perform calculations converting conductivity measurement data into hourly and annual particulate emissions as specified by the NSR permit at the required frequency.

Notice of Intent Date: 03/21/2011 (914196)  
No DOV Associated

Notice of Intent Date: 03/24/2011 (950301)

Disclosure Date: 04/20/2011  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(e)  
Description: Failure to keep training records for the life of the facility.  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(b)  
40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(c)  
Description: Failure to complete training by all personnel as required by 40CFR 167.16(1)(c).  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34

Description: Failure to remove waste stored for more than 90 days from the A-36 plant, on August 14, 2010 and September 25, 2010.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.174

Description: Failure to possess railroad area inspection paperwork from November 2007 to middle August 2009.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT H 266.100  
Rqmt Prov: PERMIT 40 CFR 266 Appendix IX

Description: Failure to have daily CEMS inspections for B-901, B-902, and B-903 for June 19, 2010 and October 30, 2010 for B-902.

Notice of Intent Date: 04/05/2011 (914179)  
Disclosure Date: 11/07/2011

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.132(a)

Description: Failed to list PBR 106.473 on a New Source Review Permit.

Notice of Intent Date: 04/04/2011 (914183)  
No DOV Associated

Notice of Intent Date: 04/04/2011 (914192)  
No DOV Associated

Notice of Intent Date: 04/18/2011 (922638)  
No DOV Associated

Notice of Intent Date: 04/26/2011 (922618)  
Disclosure Date: 09/28/2011  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT SC 13 D (2) and 14

Description: Failure to comply with a Special Condition of the facility's NSR Permit. Specifically, the Respondent failed to measure the VOC vapor concentration after clearing equipment to control for maintenance, in violation of NSR Permit No. 20776, Special Condition 13(D)(2).

Notice of Intent Date: 04/28/2011 (922795)  
No DOV Associated

Notice of Intent Date: 04/27/2011 (923389)  
Disclosure Date: 07/14/2011  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115  
Rqmt Prov: PERMIT NSR Permit No. 1472, SC 15

Description: Failed to capture particulate emissions and route them to the designated control device (A26SV615) through the dust collection system. The particulate emissions are not escaping to the environment as the system is enclosed in a building.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.983(b)(1)(i)(A)

Description: Failed to conduct initial Method 21 monitoring when the regulation was implemented for 21 valves, 100 connectors, and 2 relief devices that were incorrectly identified as Difficult to Monitor (DTMs).

Notice of Intent Date: 04/24/2011 (923396)  
Disclosure Date: 10/24/2011  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT Special Condition 6

Description: Failure to conduct an intensive directed maintenance program as required by the 28 MID fugitive monitoring program for leaking components in the EO distribution (B-5400) area.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346(c)

Description: Failure to monitor on a quarterly basis all of the valves in gas/vapor or light liquid service in the B-54 area.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(1)  
30 TAC Chapter 115, SubChapter H 115.725(c)(3)  
30 TAC Chapter 115, SubChapter H 115.726(c)

Description: Failure to have records of the quarterly inspections of the HRVOC pressure relief valves and their associated monitors.

Viol. Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(4)

Description: Failure to change the method of compliance from annual monitoring to semiannual monitoring for the valves in gas/vapor and light liquid service. In addition, the percent leak rate for valves is not being reported correctly and is difficult to reproduce.

Notice of Intent Date: 04/27/2011 (923418)  
No DOV Associated

Notice of Intent Date: 05/05/2011 (922777)  
Disclosure Date: 10/26/2011  
Viol. Classification: Minor  
Citation: 30 TAC Chapter 113, SubChapter C 113.500  
30 TAC Chapter 113, SubChapter C 113.890  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2450(k)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.996(c)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.996(c)(3)

Description: Failure to establish a correct minimum water flow rate for flowmeter on T-600 water inlet.

Notice of Intent Date: 05/11/2011 (923424)



No DOV Associated

Notice of Intent Date: 05/17/2011 (922812)

Disclosure Date: 10/26/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.890

40 CFR Chapter 63, SubChapter C, PT 63, SubPT FFFF 63.2460

Description: Failure to reduce by 98%, the collective uncontrolled organic HAP emissions from the sum of all batch process vents within the Solid Epoxy Resin (SER) process unit as per MON compliance requirements.

Viol. Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

Rqmt Prov: OP S.C. 1 (Applicable Requirements Summary

PERMIT S.C. 8

Description: Failure to operate the Solid Epoxy Resin process within permit limits and failure to accurately represent process.

Notice of Intent Date: 05/17/2011 (923407)

Disclosure Date: 08/29/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

Rqmt Prov: PERMIT NSR Permit No. 35022 SC 7E & 10

PERMIT Title V Permit No. O-2207, SC 8

Description: Failed to correct open ended lines. An open ended line in light liquid was found on 06/14/2011 and immediately corrected by installing a plug.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(c)(2)(ii)(A)(1)

Rqmt Prov: PERMIT Title V Permit No. O-2207, SC 8

Description: Failed to keep the daily average value within permitted range. Daily average flow on 02/10/11 was 298 lbs/hr which is below the daily average limit of 300 lbs/hr established during performance testing.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(d)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)

Rqmt Prov: PERMIT NSR Permit No. 35022, SC 10H, 10I

PERMIT Title V Permit No. O2207, SC 8

Description: Failed to repair in a timely manner a flange in light liquid service. Late first repair attempt of a flange in light liquid service, from 10-28-11 to 12-6-11. The flange was observed to be leaking by AVO method on 10-23-11. A first attempt was due on 10-28-11 but was not completed with monitoring until 12-6-11.

Viol. Classification: Moderate

Citation: 40 CFR Part 63, Subpart H 63.174

Rqmt Prov: PERMIT NSR Permit No. 35022, SC 12

PERMIT Title V Permit No. O-2207, SC 8

Description: Failed to conduct monitoring. Missed monitoring on one (1) flange in light liquid service from July 1, 2005 to December 06, 2011.

Notice of Intent Date: 05/25/2011 (932734)

No DOV Associated

Notice of Intent Date: 05/31/2011 (932725)

Disclosure Date: 10/17/2011

Viol. Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)

Rqmt Prov: ORDER S.C. 3

Description: Failure to adequately conduct visible emissions observations.

Viol. Classification: Minor

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT M 61.144(b)(3)

Description: Failure to record all necessary visible emissions observation data from each potential source of asbestos emissions from any part of the manufacturing facility.

Viol. Classification: Minor

Citation: 40 CFR Chapter 273, SubChapter I, PT 273, SubPT B 273.14(e)

Description: Failure to store used fluorescent lamps/bulbs without proper labels as required.

Notice of Intent Date: 05/31/2011 (932740)

No DOV Associated

Notice of Intent Date: 06/08/2011 (933580)

No DOV Associated

Notice of Intent Date: 06/14/2011 (934687)

No DOV Associated

Notice of Intent Date: 06/13/2011 (934735)

Disclosure Date: 02/13/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(3)(C)

30 TAC Chapter 115, SubChapter H 115.786(e)

30 TAC Chapter 115, SubChapter H 115.786(g)

Description: Failure to keep Train 1 and Train 2 extruders are not included in the recordkeeping requirements of 115.356(3)(C) and 115.786(e) and (g).

Notice of Intent Date: 06/24/2011 (936660)

No DOV Associated

Notice of Intent Date: 06/24/2011 (936671)

No DOV Associated

Notice of Intent Date: 06/22/2011 (936684)

Disclosure Date: 11/03/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.263

Description: Failure to keep records authorized and maintained for outside abrasive blast cleaning.

Viol. Classification: Major

Citation: 30 TAC Chapter 116, SubChapter A 116.10

Description: Failure to review, approve and track coating applications.

Notice of Intent Date: 06/20/2011 (936704)

No DOV Associated

Notice of Intent Date: 06/28/2011 (937071)

No DOV Associated

Notice of Intent Date: 06/30/2011 (941145)

Disclosure Date: 07/20/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.1230

40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9015(a)

Rqmt Prov: OP O-01388

OP O-0211

Description: Failure to conduct performance testing as required.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9020(e)

Rqmt Prov: OP O-01388

OP O-02211

Description: Failure to fully conduct a compliance performance test and to establish the necessary operating parameters as required by the HCI MACT.

Notice of Intent Date: 06/30/2011 (941160)

No DOV Associated

Notice of Intent Date: 06/30/2011 (941322)

No DOV Associated

Notice of Intent Date: 07/07/2011 (941331)

Disclosure Date: 08/04/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

Rqmt Prov: PERMIT Special Condition 26E

Description: Failure to properly seal three open ended lines (OELs) found on August 2, 2011.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(e)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2)(iii)

Description: Failure to report the monthly percent leak rate for pumps in light liquid service in the Subpart H (HON) Periodic Report submitted on may 19, 2011 for the reporting period October 1, 2010 through March 31, 2011.

Notice of Intent Date: 07/15/2011 (942399)

No DOV Associated

Notice of Intent Date: 07/11/2011 (942439)

Disclosure Date: 11/16/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.174

Description: Failure to maintain inspection records as required.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.102(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(c)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.115(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116(e)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.117(a)(8)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)(i)

Description: Failure to submit the required information in the Notification of Compliance Status (NOCS) report for HON Subpart G.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.113(c)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.116(e)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.7(e)(1)

Description: Failure to conduct the required compliance testing as required by HON Subpart G.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(d)

Description: Failure to prepare and implement a completed monitoring plan to detect leaks within the PMDI facility heat exchanger.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(d)(5)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)(iii)

Description: Failure to maintain records of Startup, Shutdown and Malfunction (SSM) events.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9000(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9010(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9015(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9020

Description: Failure to claim the T-532 phosgene/HCl scrubber prior to the FS-532 flare as a control device. Additionally, failure to meet the requirements of the HCl MACT.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Description: Failure to partially conduct the required compliance testing as required by HCl MACT.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Description: Failure to maintain and operate monitoring equipment according to manufacturer's specifications or other written procedures that provide adequate assurance that the equipment would reasonably be expected to monitor accurately.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Description: Failure to meet the requirements of the LDAR plan as required by HCI MACT.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT S.C. 9.D.

Description: Failure to maintain calibration records and failure to meet the allowable calibration accuracy specifications per the applicable air permit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT S.C. 26 (A)(1-2)

Description: Failure to conduct required monitoring or testing as per NSR Permit No. 46431.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(e)(6)(i)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)(6)

Description: Failure to maintain the required documentation for equipment subject to HON Subpart H.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(4)

Description: Failure to submit to the TCEQ, a report of any revisions to items reported in earlier NOCS, if the method of compliance has changed since the last report.

Viol. Classification: Minor

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.111

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.132(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(b)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.144(c)

Description: Failure to correctly identify the "point of determination" for Group 2 wastewater stream. Additionally, failure to consider all Table 9 HAPs.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter F 115.544

30 TAC Chapter 115, SubChapter F 115.546

Description: Failure to conduct required monitoring or testing during degassing operations.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.7(a)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.8(f)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT NNNNN 63.9020(e)(1)

Description: Failure to submit an alternative monitoring request or a waiver from the requirements of HCI MACT for BU520.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT D 60.46(b)(1)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.8(b)

Description: Failure to conduct required NOx performance testing on furnace F-621.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(f)(3)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.118(f)(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.172

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(b)

Description: Failure to meet the requirements of HON (National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry).

Notice of Intent Date: 07/12/2011 (942461)

No DOV Associated

Notice of Intent Date: 07/29/2011 (948818)

Disclosure Date: 02/24/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 5340, SC 8, 9 & 10

PERMIT NSR Permit No. 5661, SC 5

Description: Failure to calibrate one flow monitoring device on T -I at the annual frequency. Failure to calibrate two pH

probes on T-2 weekly. Failure to calibrate one flow monitoring device on S-20 at least annually as required.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120

Description: Failure to perform visual inspections on two internal floating roof tanks (EPN A30ST6 and A30ST1 0) within the 12 months required instead of on a calendar year frequency.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 5340, SF 16F

Description: Documentation of monthly tank throughputs were not available as required at the time of this audit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 5340, SC 8, 9, 10, 11C  
PERMIT NSR Permit No. 5661, SC 5

Description: Failure to estimate missed measurements using engineering judgment.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(1)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 116, SubChapter B 116.115  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(a)

Rqmt Prov: PERMIT NSR Permit No. 2606, SC 12  
PERMIT NSR Permit No. 5340, SC 13

Description: Failure to properly conduct LDAR monitoring. 46 Valves, 203 connectors were identified which were not monitored via Method 21 under a prescribed Leak Detection and Repair Program.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 2606, SC 5 & 11  
PERMIT NSR Permit No. 48478, SC 2C  
PERMIT NSR Permit No. 5339, SC 10B, 11C, 19  
PERMIT NSR Permit No. 5661, SC 6B

Description: Failure to maintain records demonstrating compliance with the representations for maintenance activities as listed on confidential page C-10 dated April 28, 2004. Failure to maintain monthly emission records of VOC from loading operations. Failure to consistently maintain records of all repairs and replacements made as a

result of leaks identified by Audible, Visual or Olfactory detection. Failure to maintain consistent records of maintenance, startup and shutdown activities using water scrub

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 48479, SC 3

Description: Failure to maintain filling rate of tank, T-61J within 48,000 gallons per hour.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 5339, SC 13C

Description: Failure to reduce monitoring data to hourly average concentrations at least once every hour and then reducing to units of the permit allowable emissions rate in pounds per hour at least once every hour.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115

Rqmt Prov: PERMIT NSR Permit No. 5339, SC 19

Description: Failure to record maintenance activity emissions for authorization under PBR 106.263 when the activity was not authorized in NSR 5339.

Notice of Intent Date: 08/01/2011 (949052)

Disclosure Date: 08/01/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 265, SubChapter I, PT 265, SubPT CC 265.1084(d)

Description: Failure to have records of required Method 21 Fugitive emission monitoring available.

Notice of Intent Date: 08/08/2011 (949165)

Disclosure Date: 09/21/2011

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(a)

Rqmt Prov: PERMIT Special Condition 17

Description: Failure to develop and implement a complete written QC program.

Notice of Intent Date: 08/08/2011 (949239)

No DOV Associated

Notice of Intent Date: 08/26/2011 (964109)

No DOV Associated

Notice of Intent Date: 08/31/2011 (964105)

Disclosure Date: 04/24/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1360

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162

40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2334

40 CFR Chapter 63, SubChapter C, PT 63, SubPT DD 63.683

Rqmt Prov: PERMIT Special Condition 17

Description: Failure to implement Method 21 monitoring on 68 fugitive components.

Notice of Intent Date: 09/12/2011 (968262)

No DOV Associated

Notice of Intent Date: 09/19/2011 (964505)

Disclosure Date: 09/18/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(E)

30 TAC Chapter 290, SubChapter D 290.46(u)

Description: Abandoned wells. See Description for details. Total of 16 wells.

Notice of Intent Date: 10/03/2011 (964111)

No DOV Associated

Notice of Intent Date: 10/03/2011 (964641)

No DOV Associated

Notice of Intent Date: 10/12/2011 (968435)

Disclosure Date: 10/11/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2382(d)(2)

Description: Failed to submit an accurate design evaluation in the notice of compliance status (NOCS) for the organic liquid distribution MACT. The minimum water flow in the scrubber should have been set higher than the 20 gpm indicated in the NOCS

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEEE 63.2346

Description: Failed to have the scrubber operate at efficient levels when the minimum water flow was set at 40 gpm

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT NSR Permit 18561

Description: Failed to prevent emission rate limits from exceeding when the minimum water flow was set at 40 gpm.

Notice of Intent Date: 10/12/2011 (968439)

Disclosure Date: 05/21/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(3)

Description: Failure to identify the T-790 scrubber in the Pesticide Active Ingredient Production (PAIP MACT) Notification of Compliance Status (NOCS) report as a control device.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1365(a)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1365(a)(6)

Description: Failure to complete a performance test for the T-790 scrubber as a control device in series with the TOX and/or THROX and therefore, monitoring parameters were not established for this scrubber.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(b)(1)(ii)

Description: Failure to monitor, and record instrument calibration requirements for the T-790 scrubber.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(e)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(g)(2)(ii)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(g)(2)(ii)(B)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(g)(2)(ii)(C)

Description: Failure to meet periodic reporting requirements for the T-790 scrubber.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1367(a)(3)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.6(e)(3)

Description: Failure to include the T-790 or continuous monitoring systems in the Startup, Shutdown, and Malfunction (SSM) Plan.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(3)

Description: Failure to correctly indentify the operating parameters specified in the NOCS and did not reflect the parameter limits established in the pre-compliance report.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1366(h)(2)(i)(A)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1367(f)

Description: Failure to conduct an initial Method 21 inspection of a portion of the closed vent system going from the T-790 scrubber to DF-501 knock-out pot was not conducted during implementation of the PAIP MACT.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1361  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT MMM 63.1368(f)(2)

Description: Failure to include required information in the NOCS about storage tank D-106D.

Notice of Intent Date: 10/17/2011 (968437)

No DOV Associated

Notice of Intent Date: 10/25/2011 (968444)

No DOV Associated

Notice of Intent Date: 10/26/2011 (968461)

No DOV Associated

Notice of Intent Date: 11/02/2011 (974752)

No DOV Associated

Notice of Intent Date: 11/02/2011 (974756)

No DOV Associated

Notice of Intent Date: 01/13/2012 (989602)

Disclosure Date: 02/13/2012

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.726(e)(3)(A)  
30 TAC Chapter 115, SubChapter H 115.727

Description: Failure to complete HRVOC exemption criteria documentation for the lab hoods at B-1814 and B-1811.

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.725(a)(4)  
30 TAC Chapter 115, SubChapter H 115.725(c)(3)(D)

Description: Failure to do quarterly inspections of the continuous monitoring systems for the B-3814 and B-3831 batch reactors, continuous monitoring of the operational parameters not completed, and the plant did not operate within the specific limits of the operational parameter.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.174

Description: Failure to either perform or document required inspection of the waste container storage area during the following weeks: 3/22/09, 3/28/09, 5/3/09, 5/9/09, 5/10/09, 5/16/09, 10/11/09, 10/17/09, 10/18/09, 10/24/09, 10/25/09, 10/31/09, 12/20/09, 12/26/09, 12/27/09, 1/2/10, 2/14/10, 2/20/10.

Viol. Classification: Minor

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.16(a)(4)

Description: Failure to perform annual RCRA training for four individuals.

Viol. Classification: Major

Citation: 30 TAC Chapter 106, SubChapter A 106.4(a)(2)  
30 TAC Chapter 106, SubChapter A 106.8

Description: Failure to document compliance with federal new source review applicability.

Notice of Intent Date: 01/12/2012 (994614)

No DOV Associated

Notice of Intent Date: 01/13/2012 (994618)

Disclosure Date: 02/13/2012

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter E 115.412(1)(C)

Description: Failure to have a permanent label summarizing the operating requirements for a solvent cleaning unit in the B-3827 area.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter D 106.124

30 TAC Chapter 116, SubChapter B 116.110(a)(4)

Description: Failure to have permit by rule authorization for the electric burn out oven located in B-3827.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)

Description: Failure to have permit by rule authorization for the dry abrasive blasting station located in B-1470 Lab 10.

Notice of Intent Date: 01/17/2012 (994620)

Disclosure Date: 04/27/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(c)(1)

30 TAC Chapter 115, SubChapter H 115.727(c)(2)

Description: Failure to have an accurate quarterly visual monitoring plan for process safety valves. Failure to keep records of quarterly visual inspections. Failure to maintain HRVOC exemption records.

Notice of Intent Date: 01/24/2012 (989674)

No DOV Associated

Notice of Intent Date: 01/30/2012 (995362)

Disclosure Date: 06/15/2012

Viol. Classification: Moderate

Citation: 40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(e)

Description: Failure to keep the training records for the life of the facility.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(a)

40 CFR Chapter 267, SubChapter I, PT 267, SubPT B 267.16(c)

Description: Failure to complete required training by all required personnel.

Viol. Classification: Minor

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.174

Description: Failure to complete some weekly inspections of waste storage areas as required by 264.174.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: Failure to close without proper notification waste storage tanks and areas that are listed on the NOR.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT XX 60.503(b)

Description: Failure to monitor one bull plug using Method 21.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1057

Description: Failure to monitor some valves as required.

Notice of Intent Date: 02/07/2012 (994823)

No DOV Associated

Notice of Intent Date: 02/14/2012 (994603)

No DOV Associated

Notice of Intent Date: 02/14/2012 (994611)

No DOV Associated

Notice of Intent Date: 02/22/2012 (1021546)

No DOV Associated



Notice of Intent Date: 03/07/2012 (994629)  
No DOV Associated

Notice of Intent Date: 03/15/2012 (1022054)  
No DOV Associated

Notice of Intent Date: 03/20/2012 (996100)  
No DOV Associated

Notice of Intent Date: 03/22/2012 (996103)  
Disclosure Date: 04/02/2013  
Viol. Classification: Minor  
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(3)  
Description: Failed to properly label one unlabeled hazardous drum that was found in the B-23 loading area.

Notice of Intent Date: 05/03/2012 (1020664)  
No DOV Associated

Notice of Intent Date: 04/30/2012 (1022109)  
No DOV Associated

Notice of Intent Date: 05/07/2012 (1020608)  
Disclosure Date: 01/11/2013  
Viol. Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
Rqmt Prov: PERMIT Special Conditions 6 - 9  
Description: Failed to monitor fifteen fugitive components as required by the permit.

Notice of Intent Date: 05/07/2012 (1022296)  
No DOV Associated

Notice of Intent Date: 05/10/2012 (1022460)  
No DOV Associated

Notice of Intent Date: 05/10/2012 (1023051)  
No DOV Associated

Notice of Intent Date: 05/14/2012 (1020620)

No DOV Associated

Notice of Intent Date: 05/14/2012 (1022433)  
No DOV Associated

Notice of Intent Date: 06/15/2012 (1013979)  
No DOV Associated

Notice of Intent Date: 06/15/2012 (1014689)  
No DOV Associated

Notice of Intent Date: 06/18/2012 (1014008)  
No DOV Associated

Notice of Intent Date: 06/19/2012 (1014982)  
No DOV Associated

Notice of Intent Date: 06/18/2012 (1016233)  
No DOV Associated

Notice of Intent Date: 06/18/2012 (1019680)  
No DOV Associated

Notice of Intent Date: 06/27/2012 (1016063)  
Disclosure Date: 07/24/2012  
Viol. Classification: Moderate  
Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1209(j)(2)(ii)

Description: Failure to comply with the destruction and removal efficiency standard and failure to comply with this limit on a hourly rolling average basis. See description for more details.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT EEE 63.1206(c)(3)(vii)

Description: Failure to conduct operability testing at least monthly. Specifically, At the B-23 Epoxy Intermediates facility, there was incomplete documentation of the 7-day AWFCO testing for F-210. The testing was completed as required, but the documentation had an incomplete list of the AWFCOs that are required to be tested each week. In August, 2012, it was discovered that the forms had not been updated to include the HWC MACT AWFCOs that went into effect on December 14, 2008.

Notice of Intent Date: 06/26/2012 (1016208)

Disclosure Date: 01/11/2013

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT SC 27 through 33

Description: Records of MSS activities from July 26, 2011 to December 26, 2012 did not include all the information required by permit special conditions 27 through 33.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT SC 28

Description: The concentration of the vapor being degassed from equipment was not consistently measured and recorded as required by Special Condition 28.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT SC 28 and 29

Description: The concentration of the vapor being degassed from equipment prior to October 11, 2012 as required by Special Condition 28 was measured and recorded using a method approved in Special Condition 29 but that had not been given the daily functionality test required by that special condition.

Notice of Intent Date: 07/09/2012 (1016221)

No DOV Associated

Notice of Intent Date: 07/16/2012 (1016177)

No DOV Associated

Notice of Intent Date: 07/27/2012 (1016198)

No DOV Associated

Notice of Intent Date: 07/26/2012 (1016217)

Disclosure Date: 10/26/2012

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT Special Condition 7

Description: Failed to remain in the fill rate allowed by the permit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT MAERT

Description: Failed to remain in the emission rate set by the Maximum Allowable Emission Rate Table (MAERT).

Notice of Intent Date: 07/25/2012 (1022667)

No DOV Associated

Notice of Intent Date: 08/14/2012 (1020670)

No DOV Associated

Notice of Intent Date: 08/24/2012 (1035246)

No DOV Associated

Notice of Intent Date: 09/06/2012 (1035334)

No DOV Associated

Notice of Intent Date: 09/06/2012 (1035339)

No DOV Associated

Notice of Intent Date: 09/14/2012 (1035361)

No DOV Associated

Notice of Intent Date: 09/10/2012 (1035362)  
No DOV Associated

Notice of Intent Date: 09/27/2012 (1037247)  
No DOV Associated

Notice of Intent Date: 09/27/2012 (1037248)  
No DOV Associated

Notice of Intent Date: 09/25/2012 (1037254)  
No DOV Associated

Notice of Intent Date: 10/01/2012 (1043651)  
No DOV Associated

Notice of Intent Date: 10/09/2012 (1043658)  
No DOV Associated

Notice of Intent Date: 10/19/2012 (1043662)  
No DOV Associated

Notice of Intent Date: 11/02/2012 (1050652)  
No DOV Associated

Notice of Intent Date: 10/30/2012 (1050653)  
No DOV Associated

Notice of Intent Date: 11/09/2012 (1050658)  
No DOV Associated

Notice of Intent Date: 11/16/2012 (1050645)  
No DOV Associated

Notice of Intent Date: 11/20/2012 (1050649)  
No DOV Associated

Notice of Intent Date: 12/03/2012 (1073013)

No DOV Associated

Notice of Intent Date: 12/04/2012 (1073020)  
No DOV Associated

Notice of Intent Date: 12/04/2012 (1073075)  
No DOV Associated

Notice of Intent Date: 01/02/2013 (1073026)  
No DOV Associated

Notice of Intent Date: 01/02/2013 (1073027)  
No DOV Associated

Notice of Intent Date: 01/07/2013 (1073043)  
No DOV Associated

Notice of Intent Date: 01/08/2013 (1073045)  
No DOV Associated

Notice of Intent Date: 01/17/2013 (1073104)  
No DOV Associated

Notice of Intent Date: 02/01/2013 (1073341)  
No DOV Associated

Notice of Intent Date: 02/01/2013 (1073343)  
No DOV Associated

Notice of Intent Date: 02/05/2013 (1073349)  
No DOV Associated

Notice of Intent Date: 02/08/2013 (1073354)  
No DOV Associated

Notice of Intent Date: 02/12/2013 (1073357)  
No DOV Associated

Notice of Intent Date: 02/25/2013 (1075680)  
No DOV Associated

Notice of Intent Date: 02/26/2013 (1075711)  
No DOV Associated

Notice of Intent Date: 02/28/2013 (1075730)  
No DOV Associated

Notice of Intent Date: 02/28/2013 (1075765)  
No DOV Associated

Notice of Intent Date: 03/08/2013 (1075744)  
No DOV Associated

Notice of Intent Date: 03/08/2013 (1075753)  
No DOV Associated

Notice of Intent Date: 03/07/2013 (1075756)  
No DOV Associated

Notice of Intent Date: 03/08/2013 (1076972)  
No DOV Associated

Notice of Intent Date: 03/11/2013 (1076978)  
No DOV Associated

Notice of Intent Date: 03/12/2013 (1076986)  
No DOV Associated

Notice of Intent Date: 03/22/2013 (1076982)  
No DOV Associated

Notice of Intent Date: 03/19/2013 (1077956)  
No DOV Associated

Notice of Intent Date: 03/26/2013 (1077951)  
No DOV Associated

Notice of Intent Date: 04/02/2013 (1085495)  
No DOV Associated

Notice of Intent Date: 04/03/2013 (1085613)  
No DOV Associated

Notice of Intent Date: 04/10/2013 (1085386)  
No DOV Associated

Notice of Intent Date: 04/30/2013 (1093043)  
No DOV Associated

Notice of Intent Date: 04/29/2013 (1093194)  
No DOV Associated

Notice of Intent Date: 05/07/2013 (1093036)  
No DOV Associated

Notice of Intent Date: 05/23/2013 (1094861)  
No DOV Associated

Notice of Intent Date: 05/21/2013 (1133125)  
No DOV Associated

Notice of Intent Date: 05/29/2013 (1099845)  
No DOV Associated

Notice of Intent Date: 06/03/2013 (1101047)  
No DOV Associated

Notice of Intent Date: 06/11/2013 (1100070)  
No DOV Associated

Notice of Intent Date: 06/20/2013 (1101051)  
No DOV Associated

Notice of Intent Date: 06/27/2013 (1102032)  
No DOV Associated

Notice of Intent Date: 07/02/2013 (1113150)  
No DOV Associated

Notice of Intent Date: 07/12/2013 (1105079)  
No DOV Associated

Notice of Intent Date: 07/11/2013 (1105086)  
No DOV Associated

Notice of Intent Date: 07/29/2013 (1113159)  
No DOV Associated

Notice of Intent Date: 07/29/2013 (1113165)  
No DOV Associated

Notice of Intent Date: 07/29/2013 (1113168)  
No DOV Associated

Notice of Intent Date: 07/30/2013 (1113170)  
No DOV Associated

Notice of Intent Date: 07/30/2013 (1113172)  
No DOV Associated

Notice of Intent Date: 08/07/2013 (1114234)  
No DOV Associated

Notice of Intent Date: 08/15/2013 (1120946)  
No DOV Associated

Notice of Intent Date: 08/23/2013 (1128630)  
No DOV Associated

Notice of Intent Date: 08/26/2013 (1120962)  
No DOV Associated

Notice of Intent Date: 09/10/2013 (1120951)  
No DOV Associated

Notice of Intent Date: 09/11/2013 (1121269)

No DOV Associated

Notice of Intent Date: 09/08/2013 (1122724)  
No DOV Associated

Notice of Intent Date: 09/17/2013 (1122445)  
No DOV Associated

Notice of Intent Date: 09/16/2013 (1124026)  
No DOV Associated

Notice of Intent Date: 09/25/2013 (1123707)  
No DOV Associated

Notice of Intent Date: 09/30/2013 (1123702)  
No DOV Associated

Notice of Intent Date: 10/04/2013 (1123704)  
No DOV Associated

Notice of Intent Date: 10/10/2013 (1132856)  
No DOV Associated

Notice of Intent Date: 10/14/2013 (1128168)  
No DOV Associated

Notice of Intent Date: 10/24/2013 (1132874)  
No DOV Associated

Notice of Intent Date: 11/25/2013 (1139926)  
No DOV Associated

Notice of Intent Date: 12/03/2013 (1139927)  
No DOV Associated

Notice of Intent Date: 12/04/2013 (1139935)  
No DOV Associated

Notice of Intent Date: 12/12/2013 (1139938)  
No DOV Associated

Notice of Intent Date: 12/19/2013 (1145532)  
No DOV Associated

Notice of Intent Date: 12/18/2013 (1145536)  
No DOV Associated

Notice of Intent Date: 01/07/2014 (1145537)  
No DOV Associated

Notice of Intent Date: 01/09/2014 (1145543)  
No DOV Associated

Notice of Intent Date: 01/09/2014 (1145548)  
No DOV Associated

Notice of Intent Date: 01/06/2014 (1145551)  
No DOV Associated

Notice of Intent Date: 01/06/2014 (1145553)  
No DOV Associated

**G. Type of environmental management systems (EMSs):**

N/A

**H. Voluntary on-site compliance assessment dates:**

N/A

**I. Participation in a voluntary pollution reduction program:**

N/A

**J. Early compliance:**

N/A

**Sites Outside of Texas:**

N/A





---

## ***Addendum to Compliance History Federal Enforcement Actions***

---

***Reg Entity Name:*** DOW TEXAS OPERATIONS FREEPORT

***Reg Entity Add:*** CR226 STRATTON RIDGE ROAD

***Reg Entity City:*** CLUTE

***Reg Entity No:*** RN100225945

---

***Customer Name:*** The DOW Chemical Company

***Customer No:*** CN600356976

---

***EPA Case No:*** 06-2013-3326

***Order Issue Date (yyyymmdd):*** 20130507

***Case Result:*** Final Order With Penalty

***Statute:*** CAA

***Sect of Statute:*** 112[R][7]

***Classification:*** Minor

***Program:*** Risk Management Progr

***Citation:***

***Violation Type:***

***Cite Sect:***

***Cite Part:***

***Enforcement Action:*** Administrative Penalty Order With or Without Inj

---



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
THE DOW CHEMICAL COMPANY  
RN100225945

§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2014-0158-PWS-E

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding The Dow Chemical Company ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

### I. FINDINGS OF FACT

1. The Respondent owns and operates a public water supply at 2301 North Brazosport Boulevard in Freeport, Brazoria County, Texas (the "Facility") that has two service connections and serves at least 25 people per day for at least 60 days per year.

2. During a record review conducted on December 16, 2013, TCEQ staff documented that the running average annual concentrations of total trihalomethanes ("TTHM") for the first, second, and third quarters of 2013 were 0.081 milligrams per liter ("mg/L"), 0.092 mg/L, and 0.088 mg/L, respectively.
3. The Respondent received notice of the violations on January 21, 2014.
4. The Executive Director recognizes that on October 1, 2013, the Respondent transitioned from Stage 1 Disinfectant Byproduct monitoring to Stage 2 Disinfectant Byproduct monitoring.

## II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 2, the Respondent failed to comply with the maximum contaminant level ("MCL") of 0.080 mg/L for TTHM, based on the running annual average, in violation of 30 TEX. ADMIN. CODE § 290.113(f)(4) and TEX. HEALTH & SAFETY CODE § 341.0315(c).
3. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of One Hundred Seventy-Four Dollars (\$174) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondent has paid the One Hundred Seventy-Four Dollar (\$174) administrative penalty.

## III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of One Hundred Seventy-Four Dollars (\$174) as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty

payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: The Dow Chemical Company, Docket No. 2014-0158-PWS-E" to:

Financial Administration Division, Revenue Operations Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:

a. Within 365 days of the effective date of this Agreed Order:

- i. Return to compliance with the running annual average MCL for TTHM, in accordance with 30 TEX. ADMIN. CODE § 290.113; or
- ii. Return to compliance with the locational running annual average MCL for TTHM, in accordance with 30 TEX. ADMIN CODE § 290.115.

b. Within 380 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.i. or 2.a.ii. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team  
Enforcement Division, MC 149A  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

with a copy to:

Public Drinking Water Section Manager  
Water Supply Division, MC 155  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
6. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any

other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

9. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

## SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

  
For the Executive Director

7/18/14  
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of The Dow Chemical Company. I am authorized to agree to the attached Agreed Order on behalf of The Dow Chemical Company, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, The Dow Chemical Company waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

4-17-14

Date



Name (Printed or typed)

Authorized Representative of  
The Dow Chemical Company

Environmental Leveraged Delivery Leader  
Title

**Instructions:** Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.